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FEB 25 2016



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**MEMORANDUM**

**Planning Division – CC Memo No. 16-001c**

**DATE:** FEBRUARY 25, 2016

**TO:** MAYOR AND COUNCIL

**THRU:** MARSHA REED, ACTING CITY MANAGER *MR*  
JEFF KURTZ, PLANNING ADMINISTRATOR *JK*  
KEVIN MAYO, PLANNING MANAGER *KA*

**FROM:** ERIK SWANSON, SENIOR CITY PLANNER *ES*

**SUBJECT:** APL15-0006 CHANDLER AIRPARK AREA PLAN AMENDMENT/DVR15-0027/PPT15-0013 CANAL VIEW HOMES  
Adoption of Resolution No. 4931  
Introduction and Tentative Adoption of Ordinance No. 4686

**Request:** Area Plan Amendment to the Chandler Airpark Area Plan from Low Density Residential to Low-Medium Density Residential, along with rezoning from Agricultural to Planned Area Development for single-family residential and Preliminary Development Plan approval for subdivision layout and housing product and Preliminary Plat approval for an eight-lot single-family residential subdivision

**Location:** Southeast corner of the Consolidated Canal and the Wildhorse Place alignment

**Applicant:** Rod Jarvis; Earl, Curley & Lagarde

Following the writing of the memo, Planning Staff received a number of emails and letter from the Canyon Oaks Estates Homeowner's Association stating opposition to the request.

**Attachments**

1. Emails in Opposition
2. Letter from the HOA



**Protest the Area Plan Amendment APL15-0006 and DVR15-0027 CANAL  
VIEW HOMES**

Samar R to: Erik.Swanson

02/18/2016 10:15 PM

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History: This message has been forwarded.

Hello,

I am writing to protest the Area Plan Amendment Request APL15-0006 and DVR15-0027  
CANAL VIEW HOMES.

My name is Samar H. Rahal and I live at 1659 E. Beretta Place, Chandler, AZ 85286 (In Canyon  
Oaks Estates). My Lot number is 171.

Thank You,

Samar Rahal



**New Subdivision please help**

Kim Betro to: Erik.Swanson@chandleraz.gov, Kim Betro

02/18/2016 10:04 PM

History:

This message has been forwarded.

Dear Mr. Swanson,

I am writing in regards to a sub division being added to the end of our development. It is a very small piece of land that I believe is land locked. It will put a lot of stress on small streets in our neighborhood, among **many** other issues.

I live in Canyon Oaks for 15 yrs. The property I am referring to is APL15-0006 DVR15-0027 Canal View Homes.

Please see the plans that are in process. Many of us feel this would be negative for our neighborhood.

Thank you

Sincerely,

Anthony and Kim Betro

1651 E. Wesson Drive

Chandler, Az. 85286

Canyon Oaks Estate Lot#201



**Canal View Homes**

**JANET SABETTA Owner** to: Erik.Swanson

02/17/2016 04:49 PM

History:

This message has been forwarded.

Dear Mr. Swanson.

I am sending you this to Protest the Area Plan Amendment Request APL15-0006 and DVR15-0027 CANAL VIEW HOMES. My husband and I are opposed to this construction. We feel it will greatly diminish the value of our home and well as the others in our community. We are already enduring the construction on the corner of Cooper and Longhorn which is impacting our community in a negative way as well. The traffic from this development will be terrible and we don't need another one to impact us adding to the congestion. That being said, we are hoping you will not grant the zoning change that will approve the development of the Canal View Homes.

Sincerely,

John and Janet Sabetta  
Canyon Oaks Estates  
Lot 265  
1723 E Wildhorse Place  
Chandler, AZ 85286  
jsabetta@centurylink.net



**Protest the Area Plan Amendment Request APL15-0006 and DVR15-0027  
CANAL VIEW HOMES**

Rima Mehta to: Erik.Swanson

02/17/2016 04:06 PM

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History: This message has been forwarded.

I, Rima Mehta would like to protest the Area Plan Amendment Request APL15-0006 and DVR15-0027 CANAL VIEW HOMES

Rima Mehta  
1041 S Edith ct  
Chandler AZ 85286  
Canyon Oaks  
Lot#2  
Contact: 4803260138

Rima Mehta

Sent from my iPhone



Canyon Oaks Estates, Canal View Homes Development  
SPichelma n to: Erik.Swanson

02/17/2016 09:48 AM

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History: This message has been forwarded.

Mr. Swanson,

I've been a homeowner in the Canyon Oaks Estates subdivision since 2005 and have been concerned for our community recently due in part to the lack of planning given to traffic patterns which will be created by the new apartment complex being built on the Southeast corner of our community and now the additional eight homes planned for the Southwest corner causing increased traffic through the community.

The city, according to the project manager for the new apartments decided a street light was not necessary at the corner of Longhorn and Cooper for the increased flow of traffic from the apartments which will most definitely cause increased traffic through our community on Canyon Oaks Way which will become the best and safest route North for both the apartments as it is for the current homeowners in our community not to mention the increased traffic caused by eight more homes added to the 74 homes already utilizing Wildhorse Place.

Additionally, the West end of Wildhorse does not appear to be the ideal entrance for the proposed eight homes without effecting Lot #234 or the unincorporated home, it seems a bridge over the canal would be a much better choice of course this would cost the developer for the eight homes considerably more than utilizing Wildhorse Place, but a better choice for our community. For all of these reasons I would like to protest the development of the eight homes on the Southwest corner of the community.

Hopefully the city will recognize the problems created for our community with the additional development projects and reconsider a traffic light for the corner of Longhorn and Cooper.

Thank you for your time and consideration,

Ken and Sara Pichelmann  
1696 E. Hawken Place  
Canyon Oaks Estates Lot #145  
Chandler, AZ. 85286



**New zoning in our neighborhood**  
Green ServPro to: Erik.Swanson

02/17/2016 08:43 AM

History:

This message has been forwarded.

Please do not allow this "canal View homes" project to pass as this is such a small area and the builder wants to put 8 homes on the lot. That access will go right thru our neighborhood , and add a lot of traffic. I live on S Velero Pl so there new homes would directly effect me. Please do not pass this.

I have lived in Chandler/ Gilbert since 1987 and the growth of Chandler has been awesome. But adding all these homes into such a small area will not be good for Chandler or any of the family's that live near that area. I urge you not to approve this.

Thanks for your time in this matter.

Christy Snyder

1470 S Velero Pl

Chandler Az 85286

Sent from my iPhone



Canal View Homes APL15-0006 and DR15-0027  
Eugene Rendell to: Erik.Swanson

02/17/2016 07:16 AM

History:

This message has been forwarded.

Erik, I have lived in the Canyon Oaks Estates for the past 14 yrs. and it is a great community to live in. I am contacting regarding the Canal View Homes which is proposed on the West End of Wildhorse Rd. I am definitely against these homes going in there along the canal. We do not need another section of homes in this area. I am asking you to do everything in your power to refuse this application to build. We like it as it is. I am sure this will fall on deaf ears as things go in this political climate we have but I have voiced my opinion. Politics aside, use some common sense. This is no place to squeeze in homes alongside a canal. Thank you.  
[Eerendell@cox.net](mailto:Eerendell@cox.net) 480-726-7721



**Canal View Homes in Chandler**  
Jared Bodnar to: Erik.Swanson

02/16/2016 10:28 PM

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History: This message has been forwarded.

Erik,  
I'm writing to protest the Area Plan Amendment Request APL15-0006 and  
DVR15-0027 CANAL VIEW HOMES.

My name is Jared Bodnar and I live at 1844 E. Winchester Pl., Chandler, AZ  
85286.

Thanks,

Jared



**Regarding: Protest the Area Plan Amendment Request APL15-0006 and  
DVR15-0027 CANAL VIEW HOMES**

**Sarah to: Erik.Swanson**

02/16/2016 10:06 PM

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History: This message has been forwarded.

TO:

Erik Swanson, Senior City Planner  
Planning Division  
City of Chandler

I am writing to protest the Area Plan Amendment Request APL15-0006 and  
DVR15-0027 CANAL VIEW HOMES

I have been a resident of Canyon Oaks Estates (lot 135) for over 14 years. I  
am happy to see the empty lot along cooper being developed by Next Gen as this  
is an appropriate use of the space but I am distressed to hear of the plan  
currently under consideration to build 8 homes in the lot adjacent to the  
canal.

Traffic passing through the neighborhood is already excessive in quantity as  
well as speed. We need speed bumps along Canyon Oaks to discourage through  
traffic not more residences to increase it in my personal opinion. The speed  
limit in front of the homes along Canyon Oaks and the stop sign at the end of  
Longhorn are routinely disregarded as cars zip around the corners of the park  
where our children play. These homes would add to traffic around the park  
area as this would be their only way in and out.

My other concern is that this development plan is not in keeping with the  
current atmosphere in the neighborhood and will decrease the value of our  
homes. There is already the canyon oaks gated community area on our eastern  
side and now we are to have this on our west? A lower density plan in keeping  
with the current lot size would be more appropriate or even the larger lot  
size of the adjacent property. Rezoning of this property would not be in the  
best interest of the neighboring residents.

Regards,

Sarah Simonetti  
1361 S Canyon Oaks Way  
Chandler  
Email: sarahsimonetti@hotmail.com  
Cell Phone# 480-228-4938



Canal View Homes : Protest the Area Plan Amendment Request APL15-0006  
and DVR15-0027 CANAL VIEW HOMES

Linda Turner to: Erik.Swanson

02/16/2016 09:50 PM

History: This message has been forwarded.

**Dear Mr. Erik Swanson,**

**I am writing to protest the considered development and Protest the Area Plan Amendment Request APL15-0006 and DVR15-0027 CANAL VIEW HOMES! I also live in Canyon Oaks Estates and can't believe large density homes will be crammed into such an inaccessible piece of land that we all use to access the Poseo Trail We also have sidewalk paths that meander behind Canyon Oaks Estates. Wild Horse Place is a small street with adjacent cul-de-sac lots that all feed this street to exit Canyon Oaks Estates. I seems impossible to give access to such a large development without great disruption to our neighborhood. Please speak our concerns at the next City Council Meeting.**

**Thanks You Very Much,**

**Linda Turner  
Lot 184  
Canyon Oaks Estates  
480-821-2463**



**Legal Protest to the proposed APL15-00006 and DVR15-0027 Canal View Homes**

starshen1 to: erik.swanson

02/16/2016 07:38 PM

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History: This message has been forwarded.

Hello Mr. Swanson,

I am the home owner and resident of 1520 S Velero Pl, Chandler, AZ 85286. My property butts-up against the proposed development. I would like to formally submit my legal protest to the proposed plan for APL15-00006 and DVR15-0027 Canal View Homes.

If there is anything else that you, please let me know and I would be happy to provide it.  
Thank you!

Starlard Floyd  
1520 S Velero Place  
Chandler AZ 85286  
Lot #235 - Canyon Oak Estates



**Protest Canal View Homes**

Jon Tencza to: Erik.Swanson@chandleraz.gov

Please respond to Jon Tencza

02/16/2016 07:38 PM

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History: This message has been forwarded.

Erik,

I am writing you to let you know my disapproval/protest of Area Plan Amendment Request APL15-0006 and DVR15-0027 CANAL VIEW HOMES. The City of Chandler has always been great at foresight with it's community planning. This development request by CANAL VIEW HOMES does not conform to current population density stipulations by the City of Chandler, and does not reflect the overall vision to minimize urban sprawl. As a home owner in Canyon Oaks Estates, I strongly oppose anything that will contribute further to urban sprawl. Currently, we have a high density apartment complex being constructed at the North West corner of SanTan 202 and Cooper Rd. Furthermore, the access to fire, EMS and police remains questionable at best. The last thing needed is higher density homes being built in the above referenced plan. This section of land would best be used as a City of Chandler park. Feel free to contact me with any further questions.

Jon Tencza  
1774 E Winchester Pl  
Canyon Oaks Estates Lot #67  
Chandler, AZ 85286  
(480) 287-6008



Protest the Area Plan Amendment Request APL15-0006 and DVR15-0027  
CANAL VIEW HOMES

Eugene Larson to: Erik.Swanson

02/16/2016 07:28 PM

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History: This message has been forwarded.

Hi Erik,

I am protesting the Area Plan Amendment request APL15-0006 and DVR15-0017 Canal View Homes for the following reasons:

1. There are too many homes for the area because there is only one way in and one way out.
2. The narrow private streets will hinder emergency vehicles, refuse pickup and delivery vehicles if cars and pickups park on the street.
3. There is no overflow parking provided for guests to park.
4. I question whether sanitary sewer is deep enough to provide service to the homes due to the existing SRP irrigation pipes that will remain in place along the north edge of the property.

5 I feel this development will be a detriment to the values of our homes in Canyon Oaks Estates.

My professional career as a Civil Engineer included developing, reviewing and designing infrastructure for subdivisions beginning in 1976 through 2006 for the City of Bismarck in North Dakota and for the City of Mesa in Arizona. I was also involved with subdivisions when I worked for Entellus, a private engineering firm in Phoenix, and we did a lot of work for the City of Chandler. My professional opinion is that this property should be limited to 5 or 6 homes with wider streets that will allow parking on at least one side and still allow emergency vehicles, refuse pickup and delivery vehicles to traverse in a safe manner. I am not in favor of using a lift station to provide sanitary sewer service to the area because of odor problems associated with lift stations.

Thank you for your consideration.

Eugene H. Larson, PE Retired

1650 E. Wesson Drive

Chandler, Arizona 85826

Lot 187

Canyon Oaks Estates

Phone 480-855-7381

e-mail [eugenehlaron@gmail.com](mailto:eugenehlaron@gmail.com)



**Protest canal view homes**  
ljpies to: Erik.Swanson

02/16/2016 05:50 PM

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History: This message has been forwarded.

I am protesting the Area Plan Amendment Request APL15-0006 and DVR15-0027 CANAL VIEW HOMES. This development will be a detriment to the values of our homes.

My name is Lori Pies 1544 S Marion Place, Canyon Oaks Lot #259, 480-628-1638

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Surrounded by people who love life, you love it too;  
surrounded by people who don't, you don't.  
~Mignon McLaughlin



Regarding: Protest the Area Plan Amendment Request APL15-0006 and  
DVR15-0027 CANAL VIEW HOMES

john to: Erik.Swanson

02/16/2016 04:25 PM

History: This message has been forwarded.

To Erik Swanson,

I am writing you to protest the development of the Area Plan Amendment Request APL15-0006 and DVR15-0027 CANAL VIEW HOMES:

1. **There will be a Lack of Uniformity between the 2 communities which will decrease the value of Canyon Oaks Estates homes.** There is a nod towards uniformity of the Canal View Homes which back up to and appear to be part of Canyon Oaks Estates however:
  - a. It was mentioned in a meeting with a representative of the Canal View Homes that the 1.8 acres would be developed with 8 homes which is higher density than the same amount of land in Canyon Oaks Estates which would be 6 homes. This is not uniform and would have a negative affect of the market value of the rest of Canyon Oaks Estates to have an in-fill project that does not match nor look like it belongs. It has been proven through California (I am from Sacramento, CA) that in fill project that are butting up to existing communities need to be uniform in order to protect market value of community.
  - b. Having all of the homes 2 stories that are planned for Canal View Homes back up to Canyon Oaks Estates which is a 1 and 2 story home community is also not uniform. All 2 story homes in an area like that create a "tunnel" affect and decrease their marketability which will affect ours too!
  - c. By ignoring both the density and the look and feel of Canyon Oaks Estates, my feeling is that the owner of this property will ignore other important features of architecture, paint, and landscaping and HOA rules that all will not have positive affect on the market value of Canyon Oaks Estates.
2. **Traffic increase that will all fall on Wildhorse Place with increased Noise and congestion.** Another reason to keep it uniform to a maximum of 6 homes or less. Each home would have an average of 2 - 4 cars. 8 homes would bring us an average of 20 - 30 cars or potentially more...adding to an already congested neighborhood that has only 1 outlet through Longhorn Drive.
3. **Several years of construction traffic due to the length of time the owner would be developing the property.** My understanding is that the owner will develop and sell the homes as he goes as he does not have the funding to build all house at the same time. Already, due to the construction of the Nextgen apartment at South Cooper and 202 (corner of Longhorn Drive and Cooper), residents are affected negative by the increased traffic and parking of the construction workers. We were told that they would park on Longhorn Drive and they are overflowing onto S Canyon Oaks Way and blocking the corners and access to the sidewalks.
4. **The effect on the value of our homes.** By all logic, it would appear that it will **not** have a positive effect on our home values as they are unlikely to sell for the same prices as Canyon Oaks Estates homes due to the proximity of the homes to the Freeway. Example: many Homeowners in Ahwatukee where the 202 is planned to be built are selling their homes because of the negative affects of the Freeway and home values suffer. They want out!

**Buyers will offer less for these homes due to Freeway exposure to noise and potential crime from criminals who access these homes from the freeway (they pretend their cars are broke down, put on hazard lights and then climb down the hill and go through the county gate that is unlocked OR they access our community from Willis on the other side of the Canal. This will have a drastically negative effect of the sales prices of these homes.** Buyers who come upon the homes in the Canal View Homes are certain to expect a reduction due to the compromising position of the homes so close to the noise of the Freeway and criminal activity. The way they compromise is to pay less than they would for the same home further away. All of this is evidenced by sales of homes near the freeway in Canyon Oaks Estates and the criminal activity on homes that are at the edge of Canyon Oaks Estates by the Canal and Freeway.

Please vote NO on this development as it stands. The Canal View Homes would NOT be in the best interest of Canyon Oaks Estates homes that would be adjacent to it nor would it be in the best interest of all of the homes on Wildhorse Place and Canyon Oaks Blvd.

Sincerely,

John Fischer  
1632 E Wildhorse Place  
Chandler, AZ 85286  
Canyon Oaks Estates - Lot # 219  
480-495-9226 (cell)



**Regarding Protest the Area Plan Amendment Request APL15-006 and  
DVR-15-0027 Canal View Homes**  
gladwell12 to: erik.swanson

02/16/2016 11:59 AM

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History: This message has been forwarded.

I would like to protest the Area Plan Amendment Request listed above. I was one of the first home owner in the Canyon Oaks Development since December 2000. I have watched a very nice safe community turn into a public thoroughfare where it's no longer safe for children to play, because of all the traffic from the apartment complex east of our development. We were promised that that apartment would have it's own entrance to Cooper, not so. We have been invaded with traffic from that construction.

I don't think it's feasible and family friendly to have another year or two of construction with heavy duty trucks coming through our neighborhood to develop yet another housing project by the canal. Needless to say our home values will depreciate and there will be difficulties in selling if any home owner so desire between now and the time the construction for Canal View Homes. I have walked that canal for over fifteen years and would go as far as to say I have saved someone's life once entering the canal. The Chandler Police can verify the call that I made in rescuing that lady.

Please consider my request as a concern homeowner trying to keep our neighborhood safe and updated and avoid any public thoroughfare.  
APL15-0006 AND DVR15-0027 CANAL VIEW HOMES

Sincerely,

Marjorie Bennett  
A concern homeowner



**Legal Protest to the proposed APL15-00006 and DVR15-0027 Canal View Homes**

Eric Goodman to: erik.swanson

02/12/2016 11:52 AM

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History: This message has been replied to and forwarded.

Erik,

I am the home owner and resident of 1541 S Velero Pl, Chandler, AZ 85286 I would like to formally submit my legal protest to the proposed plan for APL15-00006 and DVR15-0027 Canal View Homes.

If you need anything else feel free to contact me.

Best Regards,

Eric Goodman

1540 S. Velero Pl.

Chandler, AZ 85286

Lot #237 Canyon Oak Estates



**Legal Protest to the proposed APL15-00006 and DVR15-0027 Canal View Homes**

**William Mahoney** to: Erik.Swanson

02/11/2016 03:36 PM

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History: This message has been replied to and forwarded.

Erik,

I live at 1531 S. Velero Pl, Chandler AZ 85286 and I would like to formally submit my legal protest to the proposed plan for APL15-00006 and DVR15-0027 Canal View Homes.

I believe the proposed road does not abide by Chandler's Road development guidelines with regard to the curve radiuses and think this may cause an undue safety issue being adjacent to the Paseo Trail where pedestrian traffic frequents to gain access to the park.

Thanks,

Bill Mahoney

1531 S. Velero Pl

Chandler, AZ 85286



Legal Protest to the proposed APL15-00006 and DVR15-0027 Canal View Homes

Seth Grainger to: erik.swanson

02/11/2016 02:48 PM

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History:

This message has been replied to and forwarded.

Erik,

As the home owner and resident of 1530 S Velero Pl, Chandler, AZ 85286 I would like to formally submit my legal protest to the proposed plan for APL15-00006 and DVR15-0027 Canal View Homes.

If there is anything else that is needed from me please let me know and I would be happy to provide it.

Best Regards,

Seth Grainger

1530 S Velero Pl

Chandler, AZ 85286

Lot #236 Canyon Oak Estates

APN 303-29-413

**SENTRY**



February 17, 2016

Erik Swanson, Senior City Planner  
Planning Division  
City of Chandler  
[Erik.swanson@chandleraz.gov](mailto:Erik.swanson@chandleraz.gov)

Re: Area Plan Amendment Request APL15-0006 and DVR15-0027 CANAL VIEW HOMES

Dear Mr. Swanson:

The Board of Directors of Canyon Oaks Estates Community Association, located on the Southwest corner of Cooper and Pecos Road in Chandler, motioned and unanimously approved to legally protest the proposed Canal View Homes development in our recent Board Meeting. The development will not have any positive affect on our community and will for sure negatively affect our community and its residents over the next several years as it is built out.

The following Canyon Oaks Estates Lot numbers located in the cul-de-sac adjacent to this proposed development vehemently oppose the development.

Lots: 234, 235, 236, 237, 238, 239 and 229.

Sincerely,

Jared Thom, Lot #263  
President, Board of Directors  
Canyon Oaks Estates  
(602) 410-0069  
[phoenix@sentrymgt.com](mailto:phoenix@sentrymgt.com)

FEB 25 2016

Seth Grainger  
1530 S Velero Pl  
Chandler, AZ 85286  
Canyon Oaks Estates Lot #236  
[hsdseth@gmail.com](mailto:hsdseth@gmail.com)

24 February 2016

Mayor Jay Tibshraeny: [jay.tibshraeny@chandleraz.gov](mailto:jay.tibshraeny@chandleraz.gov)  
Vice Mayor Jack Sellers: [jack.sellers@chandleraz.gov](mailto:jack.sellers@chandleraz.gov)  
Councilmember Nora Ellen: [nora.ellen@chandleraz.gov](mailto:nora.ellen@chandleraz.gov)  
Councilmember Kevin Hartke: [kevin.hartke@chandleraz.gov](mailto:kevin.hartke@chandleraz.gov)  
Councilmember Rick Heumann: [rick.heumann@chandleraz.gov](mailto:rick.heumann@chandleraz.gov)  
Councilmember René Lopez: [rene.lopez@chandleraz.gov](mailto:rene.lopez@chandleraz.gov)  
Councilmember Terry Roe: [terry.roe@chandleraz.gov](mailto:terry.roe@chandleraz.gov)

Regarding: Opposition to APL15-0006 and DVR15-0027 Canal View Homes

Dear Mayor and City Council Members,

As an original owner in the Canyon Oaks Estates neighborhood I have enjoyed seeing the City of Chandler grow into the thriving City that it is today. There have been many changes and additions to the area that I have been happy to support. The light industrial area along Germann Rd between Gilbert Rd and Cooper as well the four shopping areas on the corner of Gilbert Rd and Germann Rd. We have everything we need within a very short distance and all of that development has been beneficial to the homeowners in the area as well as the City.

This latest development project, Canal View Homes, is one development that I am not able to support and as such I am one of the property owners that filed the legal protest against it. As a direct neighbor to the East of the proposed project (Canyon Oaks Estates lot #236), I have concerns about the project as it has been submitted to the City Council.

I don't want anyone to mischaracterize me or my family as being anti-development. The lawyer for the property approached me prior to the zoning commission meeting that was held on February 3, 2016, asking if I would support Canal View Homes if he could get the owner to reduce the number of homes from eight to six. My wife and I discussed the option and I told him that I would be in support if he could make that happen. The lawyer approached the property developer Star-Tech USA, LLC with the idea and was denied. We see the benefits of the property being properly developed but we don't feel the current plans proposing a higher density neighborhood with compromised standards provides a development we can support.

I have outlined my personal reasons for filing a legal protest to the development. I would

Canal View Homes APL15-006 and DVR15-00027 Opposition 1  
Canyon Oaks Estates Lot #236

welcome any questions on my reasoning.

1. The proposed development of eight homes on the land has a higher density than what Canyon Oaks Estates has by almost two times placing the density on the high end of a low-medium density definition.
  - 1.1. The increased density of the proposed Canal View Homes does not follow the direction the City has taken in laying out the neighborhood.
    - 1.1.1. High-density homes have all been close to or bordering major streets. i.e. the cluster homes and new apartments both border S Cooper Rd
    - 1.1.2. The Canyon Oaks Estates development borders the high density with a low-density single-family zoning.
    - 1.1.3. If the Canal View Homes development is approved it would have the density high density going to low-density going back up to medium-density.
      - 1.1.3.1. I am not opposed to a private neighborhood of 6 homes, which is much closer in density to Canyon Oaks Estates and would keep the flow of high to low density.
  - 1.2. The Planned Area Map that was submitted to the City Council is not current and therefore does not include finished or current developments in our immediate vicinity.
    - 1.2.1. The Canyon Oaks development of cluster/high density single-family homes on the Northwest corner of E Longhorn Dr and S Cooper Rd is not represented on the map submitted. It shows this area as being the same density as Canyon Oaks Estates. Canyon Oaks has approximately 104 homes in this small and gated community. Please look at Google Earth or Maps to get a more accurate representation of what the area looks like. I am not sure when the development has been around since 2004 the files haven't been updated.
    - 1.2.2. The new 202 Cooper Apartment complex that is dominating the Southwest corner of E Longhorn and Cooper is also not shown on the map accurately. The 202 Cooper is a very high-density multi-family apartment complex with approximately 332 units.
  - 1.3. I feel the Area Plan is misleading because it doesn't show accurately how the area has been developed. High-density single-family homes and high-density multi-family apartments close to the major roads decreasing in density, as you get further away all the way to an AG-1.
2. The proposed access to the Canal View Homes development doesn't comply with City of Chandler standards for a public street so it has to be private.
  - 2.1. The proposed street is narrow enough that if anyone parks on either side an emergency vehicle will not be able to pass and gain entrance to the neighborhood.
  - 2.2. It seems that several of the residential design standards were deemed not necessary for this small neighborhood. Because of the placement of this neighborhood and the necessity to drive through Canyon Oaks Estates to get to it. I would argue that it should match the existing neighborhood even more closely so as not cause negative attention to it and the surrounding

neighborhood. <https://www.chandleraz.gov/Content/residential-design-standards.pdf>

3. Chris Andres, Airport Administrator found that the development was a “conflict with airport uses”.
  - 3.1. The possibility of noise complaints being the big issue based on the proposed homes and the current flight paths.
4. Increased traffic along E Wildhorse Rd.
  - 4.1. Eight homes at 2900+ SF will likely have a minimum of two drivers and possibly three or four. E Wildhorse Rd is already a busy street and often has many cars parked along it.
5. Where will all of Canal View Homes overflow traffic park? The radius of the street and cul-de-sac make it so that people will not be able to park on the street without blocking emergency or city services (trash) access.
  - 5.1. Does this mean they will be allowed to park in front of our homes?
6. During Construction where will all the construction vehicles park? Will they park in our neighborhood? There isn't enough room to park on the proposed street and that would prevent emergency vehicles from getting access if there was an issue.
7. The developer, we have been told, will build the neighborhood one house at a time using the profit from the sale to fund the development of the next. This could drag out the construction for years.
  - 7.1.1. Years of construction and an unfinished neighborhood will greatly affect our property values.
8. Proposed pricing for the homes, we have been told, will be \$348,000 for six of the homes and \$420,000 for the two remaining homes.
  - 8.1. I am concerned that the developer will not be able to get these prices and he will start to drop the prices so that he can try to break even, further reducing our home values and possibly a reduction in the quality of the homes in order to maintain his profit.
  - 8.2. The developer and the location of the development does very little to give a potential buyer a reason to pay a premium for the homes.
    - 8.2.1. The properties are next to the overpass with no sound barrier. ADOT has no intention of adding a sound barrier.
    - 8.2.2. The properties are next to the City Water Treatment plant.
    - 8.2.3. The properties are next to the SRP pump station.
    - 8.2.4. The properties are next to the canal, which provides both pros and cons.
      - 8.2.4.1. At times it smells of dead fish and attracts mosquitos when SRP backs up the water. The most affected areas are near the dams, which there is one right next to the proposed neighborhood.
      - 8.2.4.2. Major pro is the Chandler Paseo Park! My wife and I walk our dog along it every night on a 3.5 mile loop! I have many pictures of the sunset reflecting off the canal. Depending on the angle these homes will likely have a freeway in their sunset pictures.
      - 8.2.4.3. The properties are underneath the flight path of Chandler Airpark.
        - 8.2.4.3.1. The Airport commission has stated that if the development is passed it will require “roadway-style sign at the site's entrance

identifying low flying aircraft.”

8.2.4.3.2. That could scare off potential buyers for both neighborhoods.

9. The property owner/representative has not been responsive to questions.

9.1. I have been talking with Erik Swanson ever since we found out about the first project the owner wanted to do with the land, 23 town homes with a road across the canal. I asked Erik many times to have the property owner/developer contact me so that we could talk about his ideas for the property.

9.2. On November 4<sup>th</sup>, 2015 we received a letter via US Mail dated 10/29 from Star-Tech, LLC introducing Jalil Ahmad as the property representative. The letter was an introduction to the project, the first communication to the neighborhood and invited everyone to attend a meeting on 11/16. In the letter he indicated that if we were unable to attend to feel free to contact him at [star.tech.usa.llc@gmail.com](mailto:star.tech.usa.llc@gmail.com) and he would answer any questions. I unfortunately already had business travel paid for and was unable to attend. I began emailing Mr Ahmad questions the night of November 11<sup>th</sup>, 2015.

9.2.1. I have never received a response from Mr Ahmad directly and have emailed him multiple times with no response from him.

9.2.2. The first response I received on the property was from their law firm Earl, Curley & Lagarde, P.C. on December 30th letting us know that they had filled a continuance to move the Chandler Planning Commissions public hearing from January 6, 2016 to February 3, 2016.

9.2.2.1. I already had the letter from Erik Swanson.

9.2.3. The lawyers have been responsive and as indicated above we have attempted to work with them and we even setup another neighborhood meeting for him to talk with the neighbors.

The property owner/developer didn't due his due diligence before he purchased the property and only found out after that it had no right-of-way access. The developer was likely hoping to make a huge profit off an inexpensive piece of land, hence the first design of 23 Town Homes. The owner says through his lawyer that he has paid so much for the lot and access that he needs a minimum of eight homes to make a profit. What happens if he isn't able to sell the homes at the proposed values of \$348,000 (six of the lots) and \$420,000 (two of the lots)? Does he file bankruptcy leaving a partially developed piece of land further reducing the value of my home? Why should the City reduce City standards to allow the development to happen because it's only eight homes?

I hope that I have given you enough reasons to oppose the Canal View Homes proposal APL15-006 and DVR15-00027. What does the City of Chandler get out of this development? Answer: Angry existing homeowners complaining about the drop in their home values as the construction drags out for years not to mention the noise and parking complaints from the construction. What about the potential home owners who will complain about not being able to park on their street, the mosquitos that take over during the summer when the canal water flow is stopped, the noise from the SRP water pump as it kicks on and runs all night, the noise from the freeway, the noise from the

airport and the cost of special payment their HOA will require them to pay the first time their private street needs to be repaired. The bigger question may be, what happens when someone does park on the street, because "we've never had an issue" and an emergency vehicle is unable to get into the neighborhood?

Regards,

Seth Grainger

CC:

Erik Swanson, Senior City Planner



**Fw: From Eric Goodman: Opposition - Canal View Homes  
APL15-0006 and DVR15-00027**

**Marla Paddock** to: Jennifer Pena, Erica Barba

02/24/2016 02:57 PM

----- Forwarded by Marla Paddock/COC on 02/24/2016 02:56 PM -----

From: Melanie Sala/COC  
To: Marla Paddock/COC@Chandler  
Cc: Erik Swanson/COC@Chandler, Heather Figueroa/COC@Chandler, Jeff  
Kurtz/COC@Chandler, Marsha Reed/COC@Chandler, Matthew  
Burdick/COCAZ@Chandler, Nachie Marquez/COC@Chandler, Sandra  
West/COC@Chandler  
Date: 02/24/2016 02:55 PM  
Subject: From Eric Goodman: Opposition - Canal View Homes APL15-0006 and DVR15-00027

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| From: |  
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|Eric Goodman <[egoodman81@gmail.com](mailto:egoodman81@gmail.com)>  
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| To: |  
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|[erik.swanson@chandleraz.gov](mailto:erik.swanson@chandleraz.gov), [Jay.Tibshraeny@chandleraz.gov](mailto:Jay.Tibshraeny@chandleraz.gov),  
[kevin.hartke@chandleraz.gov](mailto:kevin.hartke@chandleraz.gov), [nora.ellen@chandleraz.gov](mailto:nora.ellen@chandleraz.gov),  
[rick.heumann@chandleraz.gov](mailto:rick.heumann@chandleraz.gov), |  
|[terry.roe@chandleraz.gov](mailto:terry.roe@chandleraz.gov), [jack.sellers@chandleraz.gov](mailto:jack.sellers@chandleraz.gov)  
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|APL15-0006 and DVR15-0027 CANAL VIEW HOMES  
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Dear City Council,

Coming Thursday is the meeting concerning APL15-0006 and DVR15-0027 CANAL VIEW HOMES. My home borders this plan and have wrote previously opposing this development for the following reasons.

1. The 1.8 acres of land is two small to fit 8 homes. The City Planning Commission said they found nothing wrong with this plan. However it meets bare minimum standards on safety and access.

A firetruck can fit, IF no one parks on the road, and from the plans and sizes of the two story homes that there will be people parking on the roads.

2. We are a low residential neighborhood with 2 entrances into our community. A 330+ unit apartment complex has been built at one of the entrances, and with out traffic lights will make the community more congested. As this development can take 7 years to build, we will have heavy trucks moving up and down our streets where people park and kids play in the front yard making it extremely dangerous for kids to get hit or even killed.

We will also have workers parking in front of all our homes as they go to work, and as we have trouble already with the apartments being built and trying to control where the works park and lounge around on our private parks, leaving debris that I would assume will do the same to our community but around our homes.

3. We are a low residential neighborhood, why does not he want to conform to our community and keep it at that type of zoning. The reason after talking with him is that it is not financial sense! Perhaps if he thought of this before buying the property. This is clearly his mistake and we are paying the price.

4. He already shown disregard about our community and the City of Chandler. For the past 5 years he has owned the land it has become overgrown with weeds, trash, debris, and people setting up camp. Only until recently did we and the HOA push the city to force him to clean up the land. Do we want this type of developers who careless about our city and more about their pocketbooks.

5. He over estimated the value of the homes he hopes to sell. He thinks he can get \$400k+ for each home. The community backs right up to the 202 with NO SOUND WALL, and ADOT said they will not extend it as it is at 65 decibels while 65.5 is the minimum for consideration. The homes will also sit next to a water treatment facility, as well as a constant smelly mosquito infested canal that ADOT fails to maintain a few times a year. He says luxurious, how do they sound to you and would you pay that price for a 2 story home next to these features.

6. Rather then work with us, he clearly lied to us at a community meeting. He told concerned neighbors and I that pretty much the deal is done and city approved, and that we really can't do anything. Clearly a lie as he did not have the fire Marshall approval or other utilities approval just yet.

Clearly this developer is way over his head, and is desperately trying to get his dollar back.

We will also probably hear from Luis the house at the end of the cul de sac (not part of Canyon Oaks, who we spoke to and has vested interest in this land. As he will get a home in return for getting this developed for a portion of his land.

We think as a community that this land would serve better as either a low residential or better yet a park.

I hope you hear us as a voice and vote no on this case.

Thank you for your support and if you have any further questions for me, feel free to contact me.

Eric Goodman  
(702)218-6821  
[Egoodman81@gmail.com](mailto:Egoodman81@gmail.com)

1540 S. Veleró Pl.  
Chandler, AZ 85286  
Lot 237 Canyon Oaks Estates

**Please be advised that all email sent and received via this address has been requested for review by local media and will be made available in accordance with Arizona Open Public Records Law.**

----- Forwarded by David Bigos/COC on 02/19/2016 03:34 PM -----

From: Eric Goodman <egoodman81@gmail.com>  
To: erik.swanson@chandleraz.gov, Jay.Tibshraeny@chandleraz.gov, kevin.hartke@chandleraz.gov, nora.ellen@chandleraz.gov, rick.heumann@chandleraz.gov, terry.roe@chandleraz.gov, jack.sellers@chandleraz.gov  
Date: 02/19/2016 02:19 PM  
Subject: APL15-0006 and DVR15-0027 CANAL VIEW HOMES

Dear City Council,

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We think as a community that this land would serve better as either a low residential or better yet a park.

I hope you hear us as a voice and vote no on this case.

Thank you for your support and if you have any further questions for me, feel free to contact me.

Eric Goodman  
(702)218-6821  
[Egoodman81@gmail.com](mailto:Egoodman81@gmail.com)

1540 S. Velero Pl.  
Chandler, AZ 85286  
Lot 237 Canyon Oaks Estates



**ARIZONA  
CARDINALS**

LUIS ZENDEJAS  
SENIOR DIRECTOR, COMMUNITY RELATIONS  
DIRECT 602 379 1847

PO BOX 888  
PHOENIX, ARIZONA 85001-0888  
T 602 379 0101 F 480 785 7327  
LZENDEJAS@CARDINALS.NFL.NET

Add Info #29B

City of Chandler Mayor and Council  
175 S Arizona Ave,  
Chandler, AZ 85225

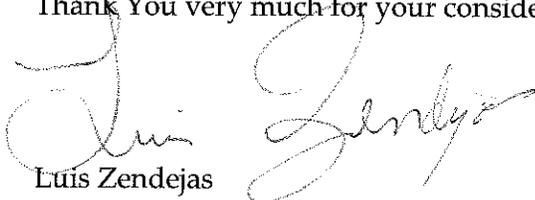
**Dear Mayor and Council,**

I am writing you this in regards to APL15-00006/DVR15-0027/PPP 15-0013/ Canal View Homes.

I live right next door to this lot and have had first-hand experience with all of the problems having this empty lot next door have caused. Case in point, almost 90% of the houses around that empty lot have been robbed in one way or another, mine being the most recent with thieves using the empty lot to get away with over \$75,000 worth of personal property. I have kicked out prostitutes, drug dealers, and several transients from that property as well as my own, as it's a good hiding place and away from society so elements like these can thrive.

My biggest concern is for my family, I work for the Arizona Cardinals and I am away from home a lot, and my wife and children are home alone quite a bit. There are safety in numbers and I feel if these homes are allowed to be built then the unwanted elements will not have as much opportunity to create chaos in our neighborhood. I would love any help you can give me in getting this development approved.

Thank You very much for your consideration,

  
Luis Zendejas

To: City of Chandler Mayor and Council

RE: APL15-00006 / DVR15-0027 / PPP 15-0013 / Canal View Homes

Dear Mayor and Council,

My name is PETER SCOTT and I live at Lot. 233  
JANET SCOTT 1490 S. VELERO PL,  
close to the Canal View Homes site. N.W. corner of Velero Pl and E. Wildhorse Pl.

I want you to know that I support the Canal View Homes development and I ask you to approve it. The developer has agreed to stipulations I like:

- Working with City for approval of a speed hump and new stop sign, which developer will install
- Inclusion of a new tot lot at Canal View Homes
- Construction of a wrought iron fence and gate to the canal, matching other fence/gates in our community
- Installation of footpath lighting on the east side of Canal View Homes
- Similar landscape and architectural palette to Canyon Oaks Estates
- Construction parking on-site or across the canal
- Burying of all utility lines
- Developer already met with my HOA to explore annexation.

I know two neighbors have protested this development. But this development, with the agreement mentioned above, will be good for my neighborhood and will protect us from criminal activity coming out of a large, vacant parcel, vulnerable to transient use.

Please approve this case. Thank you.

Sincerely, 2-16-16  
Peter Scott  
PScott

2-16-16  
Janet Scott  
Janet Scott

To: City of Chandler Mayor and Council

RE: APL15-00006 / DVR15-0027 / PPP 15-0013 / Canal View Homes

Dear Mayor and Council,

My name is Casly Baldwin and I live at 1582 E Wild Horse, close to the Canal View Homes site.

I want you to know that I support the Canal View Homes development and I ask you to approve it. The developer has agreed to stipulations I like:

- Working with City for approval of a speed hump and new stop sign, which developer will install
- Inclusion of a new tot lot at Canal View Homes
- Construction of a wrought iron fence and gate to the canal, matching other fence/gates in our community
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I know two neighbors have protested this development. But this development, with the agreement mentioned above, will be good for my neighborhood and will protect us from criminal activity coming out of a large, vacant parcel, vulnerable to transient use.

Please approve this case. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'Casly Baldwin', written in a cursive style.

To: City of Chandler Mayor and Council

RE: APL15-00006 / DVR15-0027 / PPP 15-0013 / Canal View Homes

Dear Mayor and Council,

My name is MANUEL CONTRERAS and I live at 1525 S. MARION PI,  
close to the Canal View Homes site. CHANDLER, AZ 85286

I want you to know that I support the Canal View Homes development and I ask you to approve it. The developer has agreed to stipulations I like:

- Working with City for approval of a speed hump and new stop sign, which developer will install
- Inclusion of a new tot lot at Canal View Homes
- Construction of a wrought iron fence and gate to the canal, matching other fence/gates in our community
- Installation of footpath lighting on the east side of Canal View Homes
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I know two neighbors have protested this development. But this development, with the agreement mentioned above, will be good for my neighborhood and will protect us from criminal activity coming out of a large, vacant parcel, vulnerable to transient use.

Please approve this case. Thank you.

Sincerely,

To: City of Chandler Mayor and Council

RE: APL15-00006 / DVR15-0027 / PPP 15-0013 / Canal View Homes

Dear Mayor and Council,

My name is Saul Aguilar and I live at 1702 E. Wildhorse Pl.  
close to the Canal View Homes site.

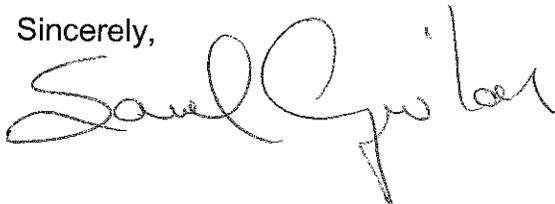
I want you to know that I support the Canal View Homes development and I ask you to approve it. The developer has agreed to stipulations I like:

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- Inclusion of a new tot lot at Canal View Homes
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- Developer already met with my HOA to explore annexation.

I know two neighbors have protested this development. But this development, with the agreement mentioned above, will be good for my neighborhood and will protect us from criminal activity coming out of a large, vacant parcel, vulnerable to transient use.

Please approve this case. Thank you.

Sincerely,



To: City of Chandler Mayor and Council

RE: APL15-00006 / DVR15-0027 / PPP 15-0013 / Canal View Homes

Dear Mayor and Council,

My name is Annette Toole and I live at 1593 E. Wildhorse AC, close to the Canal View Homes site.

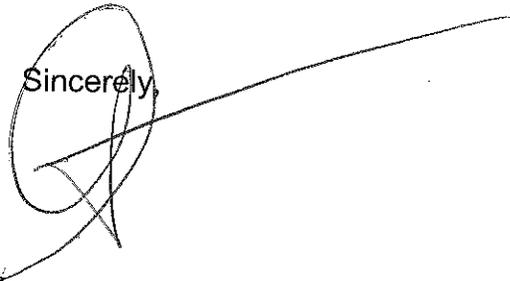
I want you to know that I support the Canal View Homes development and I ask you to approve it. The developer has agreed to stipulations I like:

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- Inclusion of a new tot lot at Canal View Homes
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Please approve this case. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to be "Annette Toole", written over the word "Sincerely,". The signature is somewhat stylized and loops around the text.



**Chandler · Arizona**  
*Where Values Make The Difference*

#29  
FEB 25 2016  
Chandler  
All-America City  
2010

**MEMORANDUM**                      **Planning Division – CC Memo No. 16-001b**

**DATE:**            FEBRUARY 25, 2016

**TO:**                MAYOR AND COUNCIL

**THRU:**            MARSHA REED, ACTING CITY MANAGER *MR*  
                          JEFF KURTZ, PLANNING ADMINISTRATOR *JK*  
                          KEVIN MAYO, PLANNING MANAGER *KA*

**FROM:**            ERIK SWANSON, SENIOR CITY PLANNER *ES*

**SUBJECT:**        APL15-0006 CHANDLER AIRPARK AREA PLAN AMENDMENT/DVR15-0027/PPT15-0013 CANAL VIEW HOMES  
                          Adoption of Resolution No. 4931  
                          Introduction and Tentative Adoption of Ordinance No. 4686

**Request:**            Area Plan Amendment to the Chandler Airpark Area Plan from Low Density Residential to Low-Medium Density Residential, along with rezoning from Agricultural to Planned Area Development for single-family residential and Preliminary Development Plan approval for subdivision layout and housing product and Preliminary Plat approval for an eight-lot single-family residential subdivision

**Location:**            Southeast corner of the Consolidated Canal and the Wildhorse Place alignment

**Applicant:**            Rod Jarvis; Earl, Curley & Lagarde

There is a legal protest for the request requiring a three-quarter vote by Council for approval.

**RECOMMENDATION**

Upon finding the request to be consistent with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Area Plan Amendment, Rezoning, PDP, and Preliminary Plat, subject to conditions.

**BACKGROUND**

The subject site is located at the southeast corner of the Consolidated Canal and the Wildhorse Place alignment; approximately one-half mile east of the southeast corner of Willis and McQueen roads. The site is a remnant parcel from the construction of the Loop 202 Santan

Freeway. Directly north is a single-family home that was annexed into the City of Chandler in 2010. East is the Canyon Oaks Estates single-family residential subdivision. Directly south is the Loop 202, with the Consolidated Canal running the length of the western boundary. The site is currently within the jurisdiction of Maricopa County and is zoned Rural-43 (RU-43). Annexation of the property is being requested in a preceding memo on the current agenda.

### **AREA PLAN AMENDMENT**

The site is within the Chandler Airpark Area Plan and designated as supporting Low-Density Residential development with a density range of 1.6-3.5 dwelling units per acre. The request is to amend the area plan to Low-Medium Density Residential with a density range of 3.6-8 dwelling units per acre. The density would be limited to the 4.32 units per acre as proposed.

### **SITE LAYOUT / HOUSING PRODUCT**

The two-acre site largely fits the definition of infill development due to the physical constraints surrounding the site. Eight lots for the approximate 2-acre site are proposed, with a density of 4.32 units per acre. The site is designed with private streets. Lot sizes range from 5,117 square feet up to 9,822 square feet. Minimum lot sizes within the adjacent neighborhood range from a minimum 7,200 square feet up to 9,240 square feet, depending on which phase of the neighborhood. Two floor plans are provided with a square footage of 2,955 and 3,400 square feet; both plans are two-story. Home sizes of the Canyon Oaks Estates subdivision range from 1,688 square feet up to 4,108 square feet. Both proposed home plans provide five bedrooms, with Plan B offering an option for a sixth bedroom. Plan A offers a two-car garage that is designed central to the house façade; Plan B provides a three-car garage.

Design of the homes utilizes a southwest color palette and similar design elements as provided in the Canyon Oaks subdivision. Thick wainscot stucco elements are provided along the façade with various stucco pop-outs and relief elements. Stone, shutter elements, and varying window designs are provided depending on the elevation.

Due to the site being adjacent to the canal, a ten-foot landscape area is provided, with the exception of the area adjacent to lot 7. Due to the size of the lot and home footprint, the full ten feet cannot be provided while maintaining the ten-foot rear setback. To discourage blind corners the perimeter wall corners are chamfered.

### **AIRPORT COMMISSION**

The Airport Commission reviewed the zoning request in accordance with the Airport Conflicts Evaluation Process at their November 18, 2015, meeting. The Airport Administrator has issued a conflict evaluation report indicating that the Airport Commission found that the proposed subdivision does constitute a conflict with the existing or planned airport uses. Physical and administrative corrective actions were recommended.

Physical corrective actions included noise attenuation construction within the residential units, and a roadway style sign indicating the presence of low flying aircraft.

Administrative corrective actions included the requirement of significant disclosure statements to be signed by prospective homeowners indicating the proximity to the airport, heliport, aircraft engine repair and testing facility, and the potential impact from aviation noise and vibrations. Additionally, an avigation easement shall be dedicated to the City of Chandler. Finally, a large map shall be displayed within the sales office identifying the proximity of the development to the airport including the noise contours, and over flight patterns. A copy of the Airport Administrator's report detailing the Airport Commission's recommendation is attached to this memo.

### **DISCUSSION**

Planning Staff supports the request finding that the development of single-family residential is consistent with the overall goals of the Area Plan, and that while there is an increase in density the end product is consistent with the immediate area and provides a beneficial solution to a difficult infill piece. Furthermore, the design of the homes has been cognizant of the surrounding area and utilizes common elements within the larger community. Lastly, the development of the site resolves any longstanding conditions with the vacant lot and its proximity to the Consolidated Canal and Loop 202.

### **PUBLIC / NEIGHBORHOOD NOTIFICATION**

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held Tuesday, November 16, 2015; eight neighbors attended and had general questions about the development, street system and design, whether or not the site is within a flood district, and questions pertaining to the housing product.
- Following the meeting, Planning Staff has responded to a number of the questions pertaining to City design standards that the neighbors had. As a follow-up to the neighborhood meeting and based on additional questions from the neighborhood, a meeting was held at the site on Thursday, January 21, 2016; nine neighbors attended. Requests were made to address the development from the adjacent neighbors resulting in a speed hump being added to the entry drive, reorganization of the stop signs located at the immediate four-way stop upon exiting the site, bollard lighting and path to be located in the landscape area in between the subdivisions, a separate tot lot in the proposed development, wrought-iron fencing and a gate along the canal, ensuring the landscape palette is consistent with the Canyon Oaks neighborhood, and a sidewalk located at the southern end of the development connecting to the canal. Planning Staff has worked with the Traffic, Fire, and Civil divisions to determine if the requests are considerable. The divisions have responded positively with the exception that a sidewalk cannot be provided on the southern portion of the neighborhood due to retention basins being in the area.
- The request has triggered a legal protest.

### **PLANNING COMMISSION VOTE REPORT**

Motion to Approve:

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

Three neighbors spoke, with two neighbors speaking in opposition and one neighbor in support. The opposing neighbors had concerns with the proposed density of the project and felt that the

amount of homes could be reduced resulting in the density being consistent with the Canyon Oaks Estates subdivision. A concern was also expressed about the access to the homes through the existing subdivision as well as with the design of Wildhorse Place. Density of the adjacent subdivision is 2.7 dwelling units per acre, proposed density of the project is 4.3. It should be noted that the subdivision is designed such that four lots in the proposed development are adjacent to four lots in the Canyon Oaks Estates subdivision. While the access drive has been reduced, the Traffic, Fire, and Civil divisions have reviewed the design to ensure that traffic can move safely on the street; parking will not be allowed on the entry drive into the development.

### **RECOMMENDED ACTIONS**

#### **Area Plan**

Planning Commission and Planning Staff recommend City Council approve the Area Plan Amendment.

#### **Rezoning**

Planning Commission and Planning Staff recommend City Council approve the Rezoning, subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Canal View Homes", kept on file in the City of Chandler Planning Division, in File No. DVR15-0027, 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. 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.
5. 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.
6. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or homeowners' association.

7. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls.
8. The following stipulations shall be the responsibilities of the subdivider/homebuilder/developer and shall not be construed as a guarantee of disclosure by the City of Chandler:
  - a) Prior to any lot reservation or purchase agreement, any and all prospective homebuyers shall be given a separate disclosure statement, for their signature, fully acknowledging that this subdivision lies within the Chandler Municipal Airport Impact Overlay District, as specified in the Chandler Zoning Code. The disclosure statement shall acknowledge the proximity of this subdivision to the Chandler Airport and that an avigational easement exists and/or is required on the property, and further, shall acknowledge that the property is subject to aircraft noise and over flight activity. This document signed by the homebuyer shall be recorded with Maricopa County Recorder's Office upon sale of the property.
  - b) The subdivider/homebuilder/developer shall also display, in a conspicuous place within the sales office, a map illustrating the location of the subdivision within the Airport Impact Overlay District, as well as the noise contours and over flight patterns, as identified and depicted in the document entitled Chandler Municipal Airport, F.A.R. Part 150, Noise Compatibility Study, Noise Compatibility Program, Exhibit 6A (Potential Airport Influence Area), as adopted by the Chandler City Council (Resolution No. 2950, 11-5-98). Such map shall be a minimum size of 24" x 36".
  - c) Compliance with this condition shall be demonstrated by the subdivider/homebuilder/developer by submittal of a signed affidavit and photograph that acknowledges this disclosure and map display prior to beginning any sales activity. Failure to comply with this condition will result in revocation of the Administrative Use Permit for the temporary sales office. All requirements as set forth in this condition are the obligation of the subdivider/homebuilder/developer and shall not be construed as a guarantee of disclosure by the City of Chandler.
  - d) The above referenced information shall also be included within the Subdivision Public Report to be filed with the State of Arizona Department of Real Estate, as required by Arizona Revised Statute 28-8486 and Arizona Revised Statute 28-8464.
  - e) The subdivider/homebuilder/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.

- f) All homes and buildings shall be designed and built to achieve an interior noise level not to exceed 45 decibels (Ldn) from aircraft noise. A professional acoustical consultant, architect or engineer shall certify that the project's construction plans are in conformance with this condition.
- g) The Final Plat shall contain the following statement on the cover sheet in a prominent location and in large text:

“This property is located within the Chandler Municipal Airport Impact Overlay District and is subject to aircraft noise and over flight activity, and is encumbered by an avigational easement to the City of Chandler.”

- 9. 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 heliport at the Chandler Municipal Airport 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 heliport, 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 recommend City Council approve the Preliminary Development Plan, subject to the following conditions:

- 1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled “Canal View Homes”, kept on file in the City of Chandler Planning Division, in File No. DVR15-0027, except as modified by condition herein.
- 2. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.
- 3. The applicant shall work with Planning Staff to ensure the landscape palette is consistent with the adjacent neighborhood.
- 4. The applicant shall work with Planning Staff to address the design elements requested by the adjacent neighborhood such as addressing traffic circulation concerns, incorporating bollard lighting in the adjacent landscape tract, providing fencing adjacent to the canal, ensuring the landscape palette is consistent with the area, and the incorporation of a tot lot.

**Preliminary Plat**

Planning Commission and Planning Staff recommend City Council approve the Preliminary Plat, subject to the following condition:

1. Approval by the City Engineer and Planning Administrator with regard to the details of all submittals required by code or condition.

**PROPOSED MOTIONS**

**Area Plan Amendment**

Move City Council adopt Resolution No. 4931, approving Area Plan Amendment APL15-0006 CHANDLER AIRPARK AREA PLAN, amending the Area Plan from Low Density Residential to Low-Medium Density Residential, as recommended by Planning Commission and Planning Staff.

**Rezoning**

Move City Council introduce and tentatively adopt Ordinance No. 4686, approving Rezoning DVR15-0027 CANAL VIEW HOMES, from Agricultural to PAD for single-family residential, subject to the conditions recommended by Planning Commission and Planning Staff.

**Preliminary Development Plan**

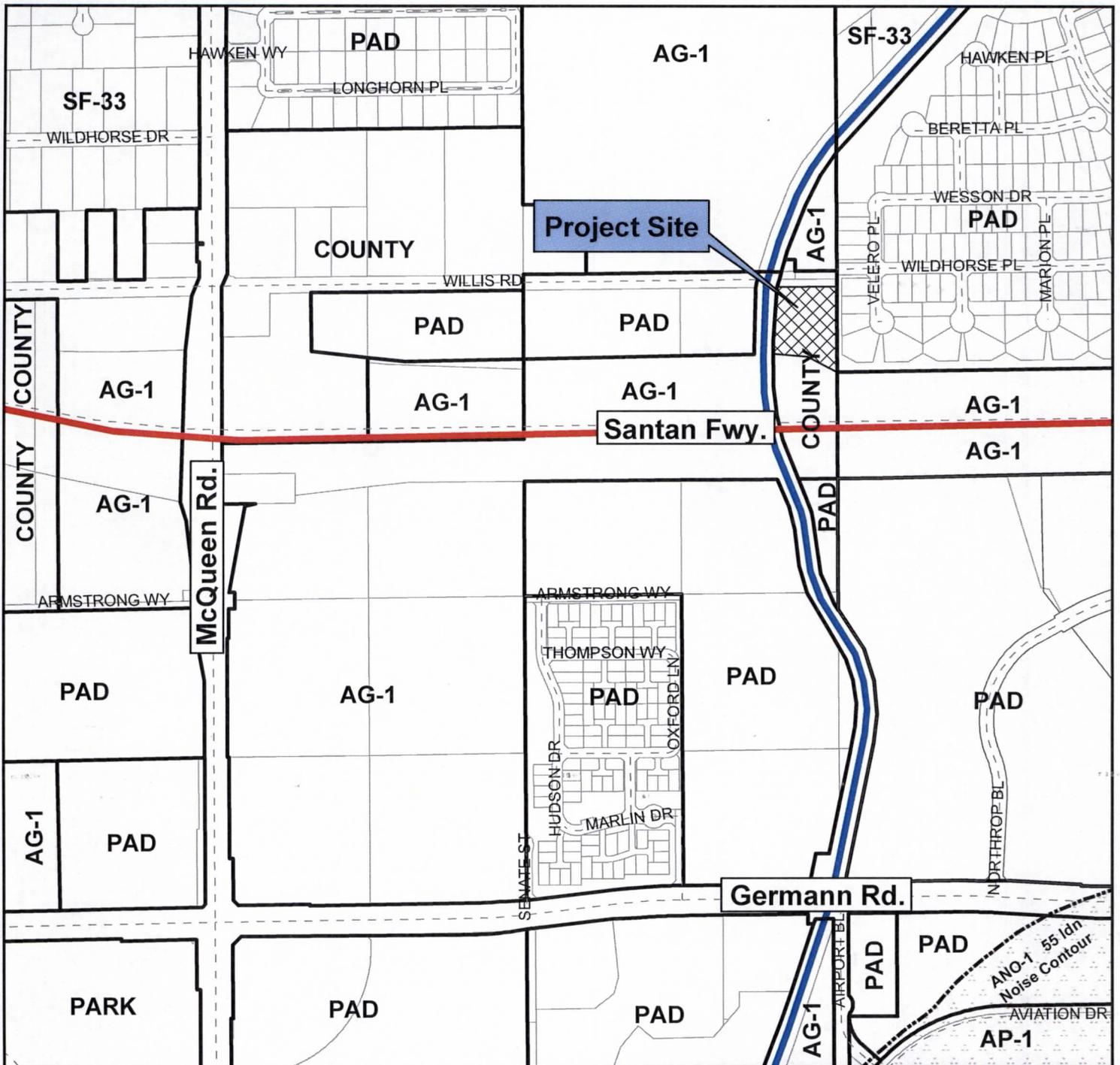
Move City Council approve Preliminary Development Plan DVR15-0027 CANAL VIEW HOMES, for site layout and building architecture, subject to the conditions as recommended by Planning Commission and Planning Staff.

**Preliminary Plat**

Move City Council approve Preliminary Plat PPT15-0013 CANAL VIEW HOMES, for an eight lot single-family residential subdivision, subject to the condition recommended by Planning Commission and Planning Staff.

**Attachments**

1. Vicinity Maps
2. Site Plan
3. Landscape Plan
4. Area Plan Amendment Map
5. Representative Elevations
6. Representative Floor Plan
7. Preliminary Plat
8. Narrative
9. Airport Administrator's Report
10. Resolution No. 4931
11. Ordinance No. 4686
12. Development Booklet

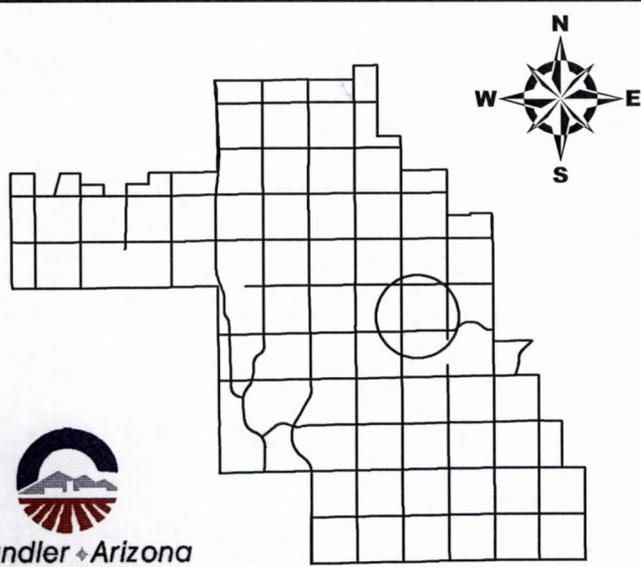


## Vicinity Map



DVR15-0027

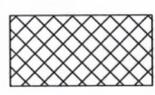
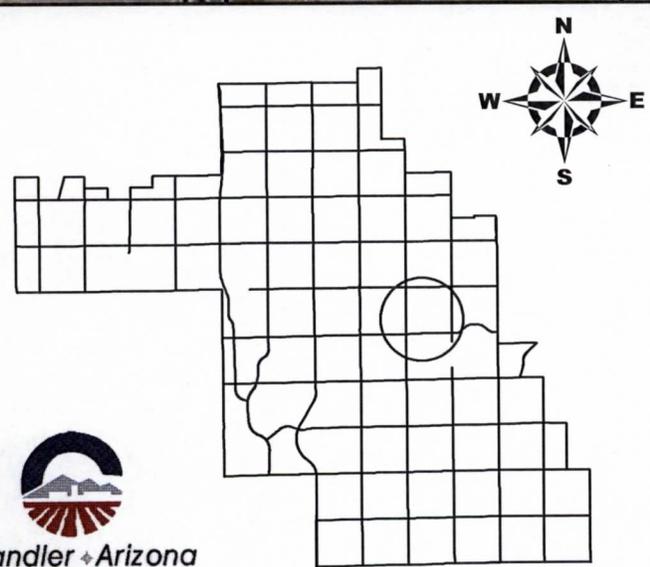
Canal View Homes







## Vicinity Map



DVR15-0027

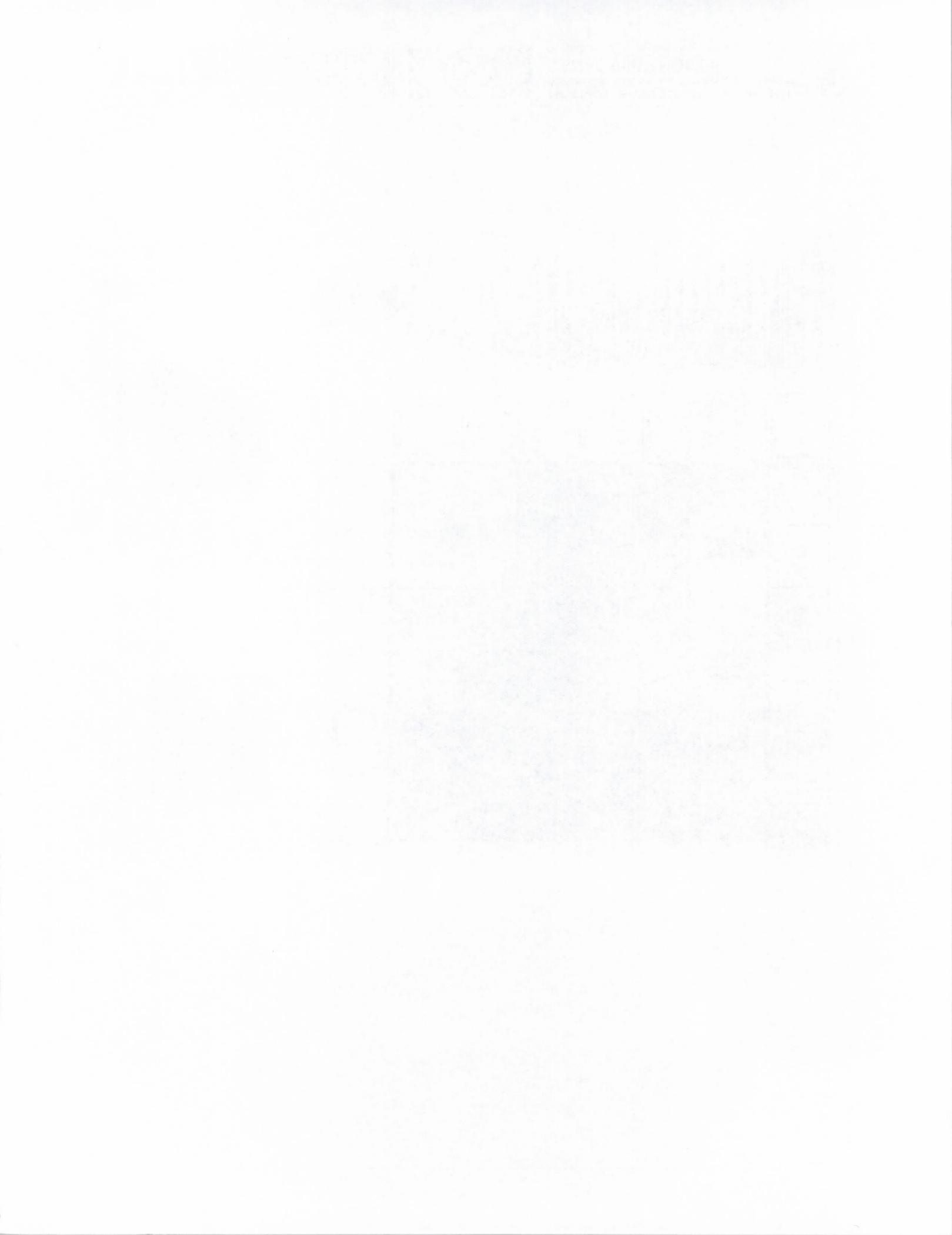
Canal View Homes

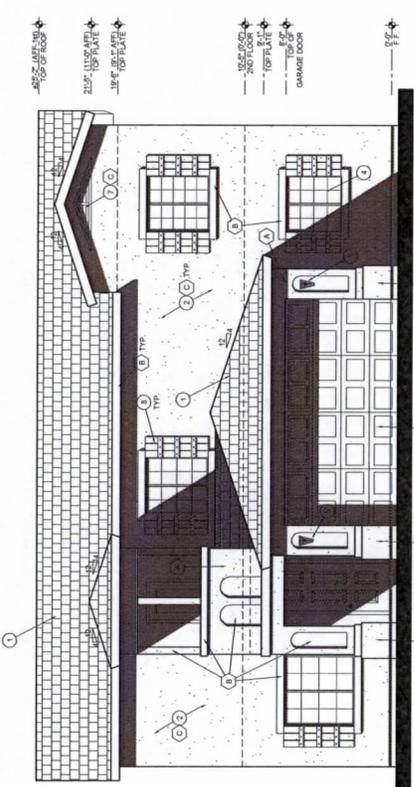






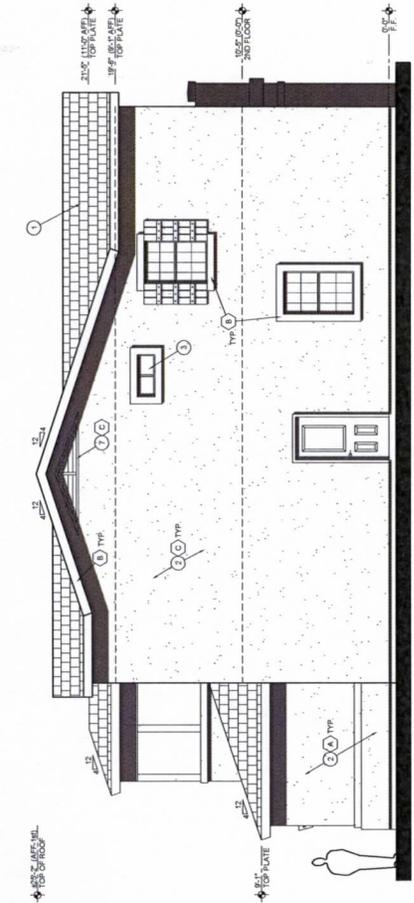






UNIT "A" - FRONT ELEVATION - A 1

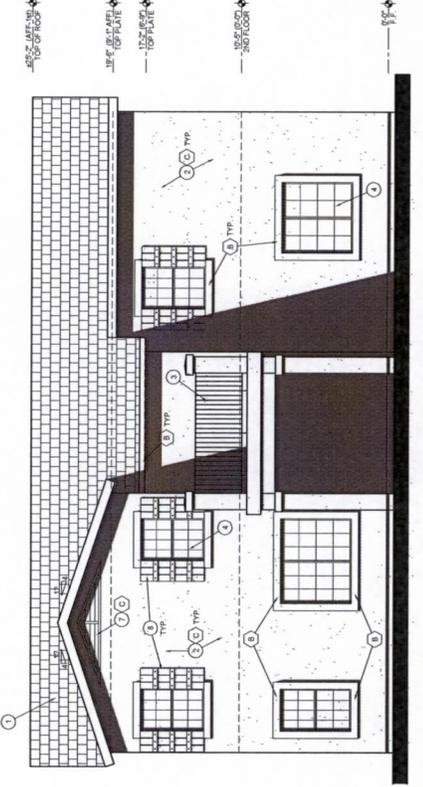
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UNIT "A" - RIGHT ELEVATION - A 1

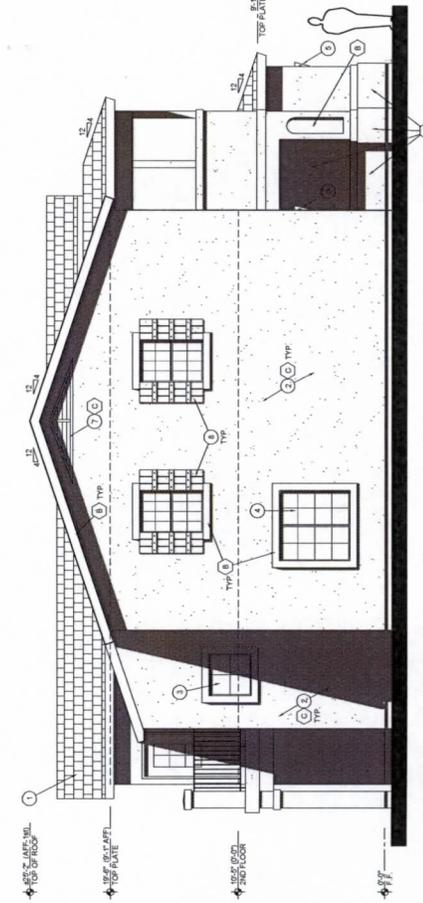
SCALE: 1/4" = 1'-0"

KEYNOTES	PAINT SCHEDULE	MATERIAL SCHEDULE
1. STUCCO SYSTEM EXTERIOR FINISH - TYP	1. COLOR DEBIT: "COLORADO TRAIL" (RV 30)	1. MANUFACTURER: BORGAL ROOFING
2. DUAL GLAZING IN FIXED AL WINDOW FRAME - TYP	2. COLOR DEBIT: "COLORADO TRAIL" (RV 30)	2. MANUFACTURER: BORGAL ROOFING
3. STUCCO SYSTEM EXTERIOR FINISH - TYP	3. COLOR DEBIT: "COLORADO TRAIL" (RV 30)	3. MANUFACTURER: BORGAL ROOFING
4. STUCCO SYSTEM EXTERIOR FINISH - TYP	4. COLOR DEBIT: "COLORADO TRAIL" (RV 30)	4. MANUFACTURER: BORGAL ROOFING
5. OVERHEAD SECTIONAL GARAGE DOOR	5. COLOR DEBIT: "SILVER DUNE" (RV 70)	5. COLOR: LA TRIN TRUSS
6. DECORATIVE WINDOW SHUTTER - PAINTED	6. COLOR DEBIT: "SILVER DUNE" (RV 70)	6. COLOR: LA TRIN TRUSS
	7. FIELD PAINT	7. WESTERN-KOTE STUCCO SYSTEM OVER 1" (MIN.)
	8. COLOR DEBIT: "SILVER DUNE" (RV 70)	8. COLOR: LA TRIN TRUSS
	9. COLOR DEBIT: "SILVER DUNE" (RV 70)	9. COLOR: LA TRIN TRUSS
	10. COLOR DEBIT: "SILVER DUNE" (RV 70)	10. COLOR: LA TRIN TRUSS
	11. COLOR DEBIT: "SILVER DUNE" (RV 70)	11. COLOR: LA TRIN TRUSS
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	100. COLOR DEBIT: "SILVER DUNE" (RV 70)	100. COLOR: LA TRIN TRUSS



UNIT "A" - BACK ELEVATION - A 1

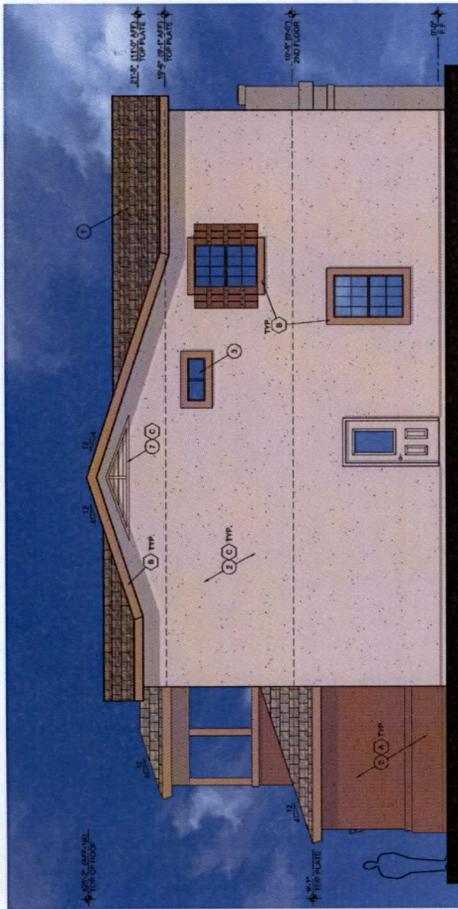
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UNIT "A" - LEFT ELEVATION - A 1

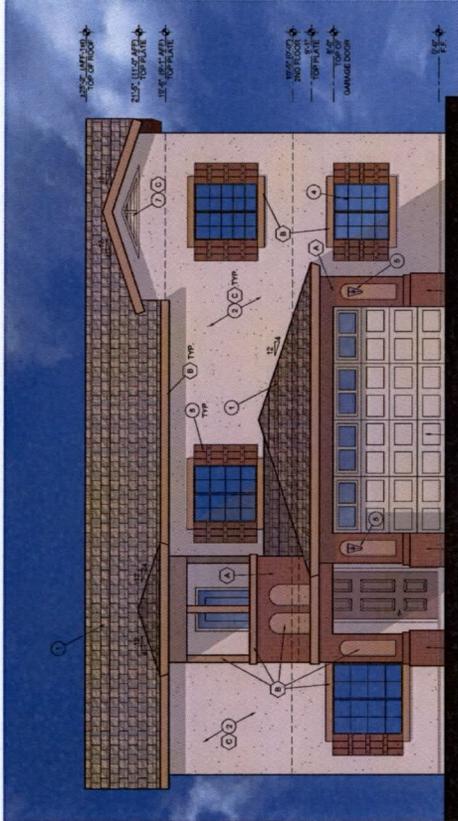
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UNIT "A" - RIGHT ELEVATION - A 1

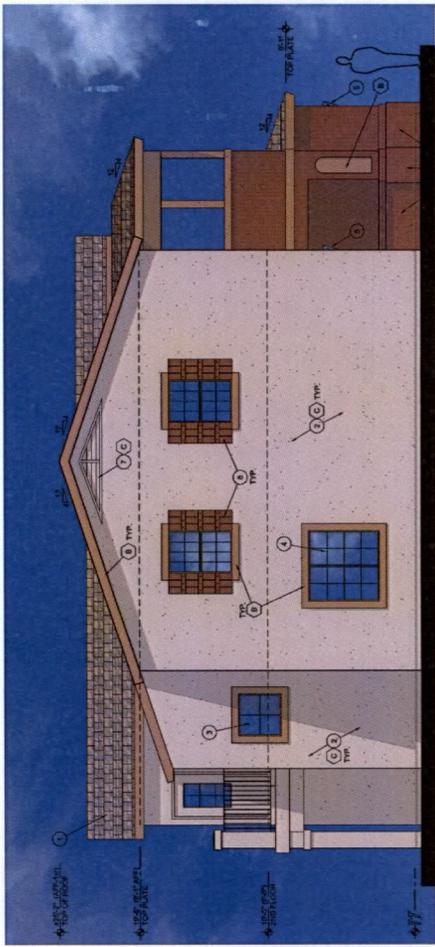
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UNIT "A" - FRONT ELEVATION - A 1

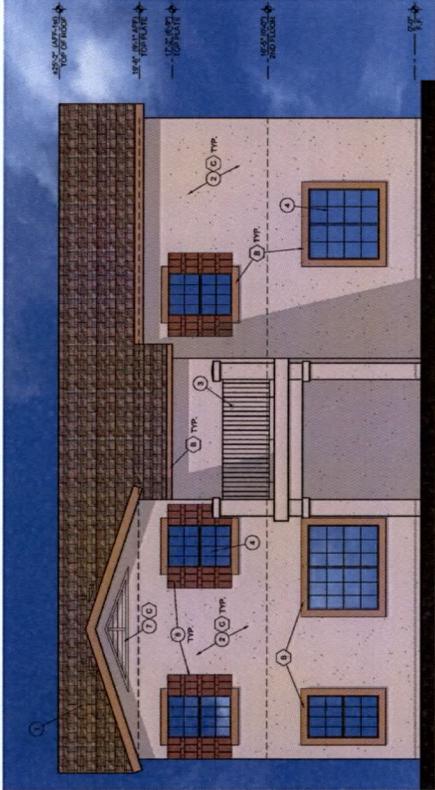
SCALE: 1/4" = 1'-0"

KEYNOTES	PAINT SCHEDULE	MATERIAL SCHEDULE
1. STUCCO TO BE FROM INTERIOR FINISH - TYP. 2. DUAL GLAZING IN PREFERRED WINDOW FRAME - TYP. 3. WINDOW FRAME TO BE ALUMINUM - TYP. 4. FRAME SYSTEM - TYP. 5. OVER-HEAD SECTIONAL GARAGE DOOR. 6. DECORATIVE WINDOW SHUTTERS - PAINTED.	1. ROOFING (A) COLOR: DB111, "COLORADO TRAIL", LIV 20 (B) COLOR: DB111, "COLORADO TRAIL", LIV 20 (C) ACCENT #2 (D) COLOR: DB116, "DOVER PLAINS", LIV 43 (E) FIELD PAINT (F) COLOR: DB114, "ROY CLARE", LIV 19 (G) COLOR: DB872, "GALLERY GRAY", LIV 87	ROOFING MANUFACTURER: BERNAI ROOFING MANUFACTURER: BERNAI ROOFING COLOR: LA TIBRA RED WESTERN - WOOD STUCCO SYSTEM OVER 1" (MIN) TEXTURE: FINE SAND FLOAT



UNIT "A" - LEFT ELEVATION - A 1

SCALE: 1/4" = 1'-0"



UNIT "A" - BACK ELEVATION - A 1

SCALE: 1/4" = 1'-0"





ARCHITECTURE DEVELOPMENT MATRIX, PLLC  
 587 S. GAVILAN DR. GILBERT, AZ 85233 TEL: 480-628-4000 EMAIL: ADM@ADM.COM  
 CHANDLER, AZ  
**CANAL VIEW HOMES**



PRELIMINARY - NOT FOR CONSTRUCTION OR RECORDING

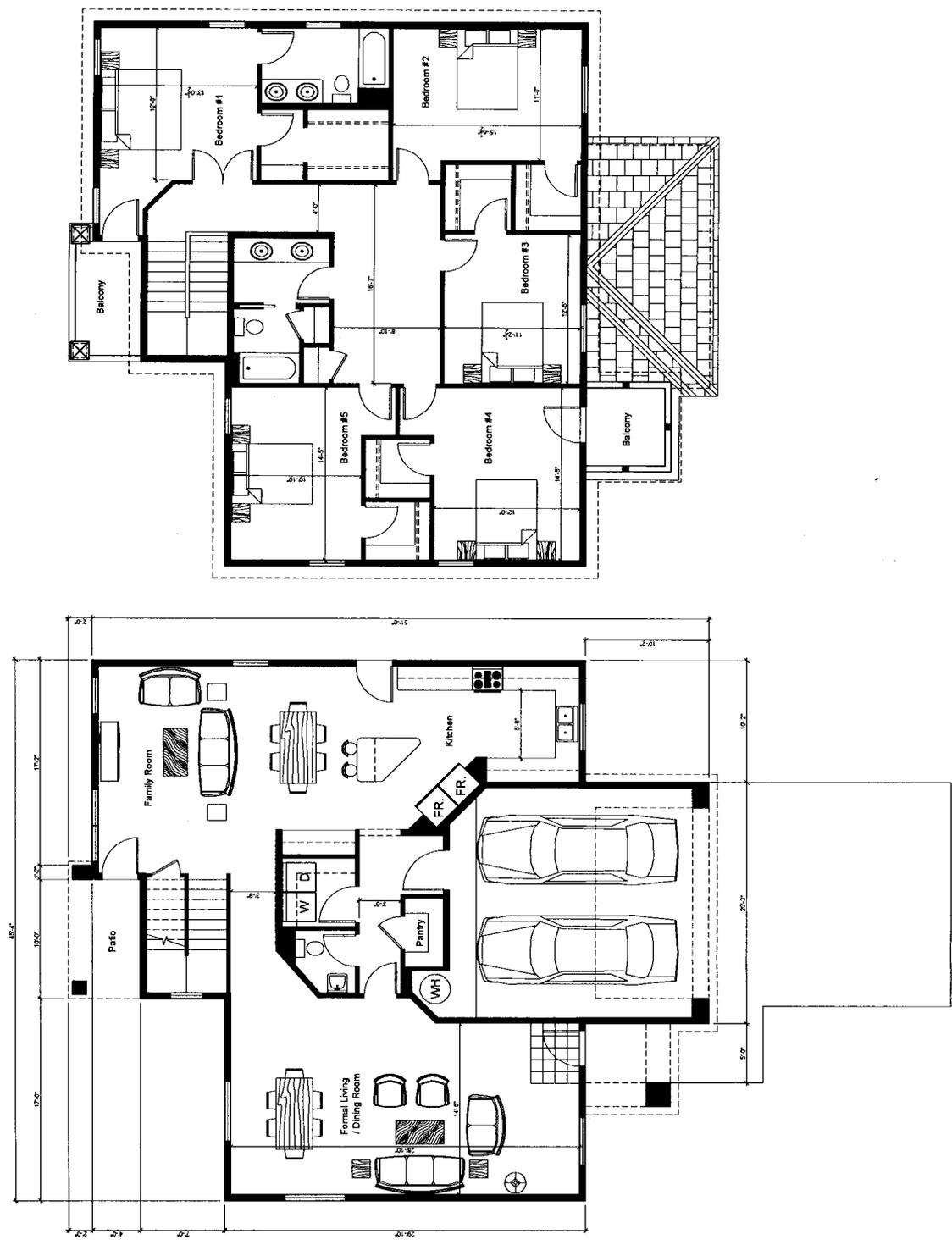
PROJECT NAME: 1035-18  
 SHEET TITLE: SCHEMATIC FLOOR PLANS  
 UNIT 'N'

**A-A1**

**NOTES**

TOTAL LIVABLE SQ. FT.: 32,265 S.F.

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**UPPER FLOOR - PLAN "A"**  
 \$1,581 S.F. SCALE: 1/4" = 1'-0"

**GROUND FLOOR - PLAN "A"**  
 \$1,384 S.F. SCALE: 1/4" = 1'-0"



ARCHITECTURE DEVELOPMENT MATRIX, PLLC  
 207 S. SAHARA DR. GILBERT, AZ 85233  
 TEL: 480-828-4000 FAX: 480-828-4001

CHANDLER, AZ  
 CANAL VIEW HOMES

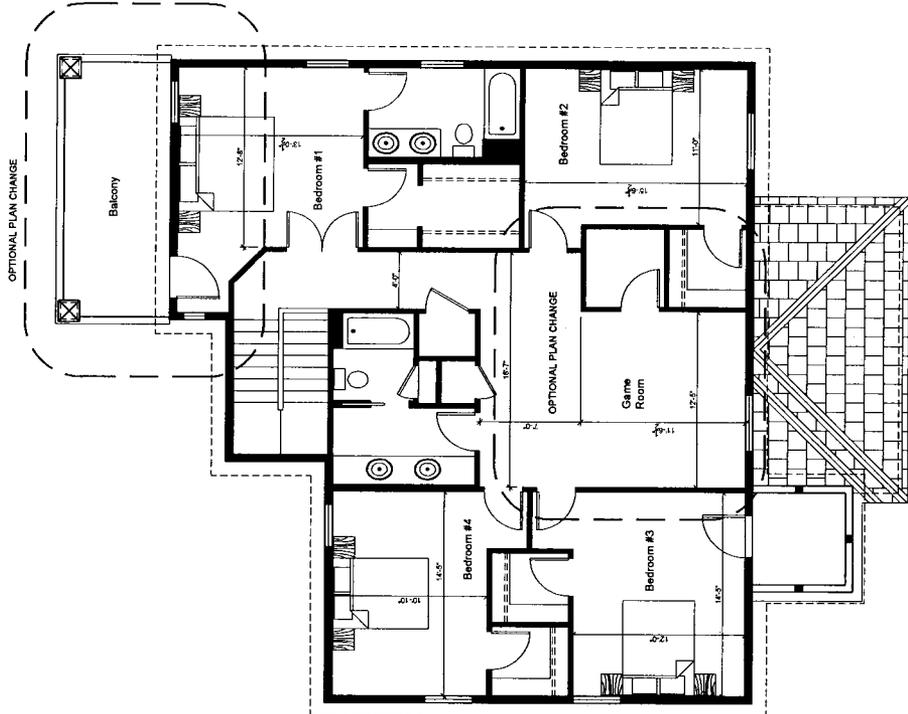


PRELIMINARY - NOT FOR CONSTRUCTION OR RECORDS

PROJECT NUMBER: 104518  
 SHEET TITLE: SCHEMATIC OPTIONAL FLOOR PLAN UNIT "A"  
 PROJECT NAME: UNIT "A"

A-A2

NOTES



UNIT A - OPTIONAL - UPPER FLOOR PLAN  
 SCALE: 1/4" = 1'-0"

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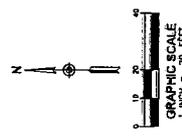
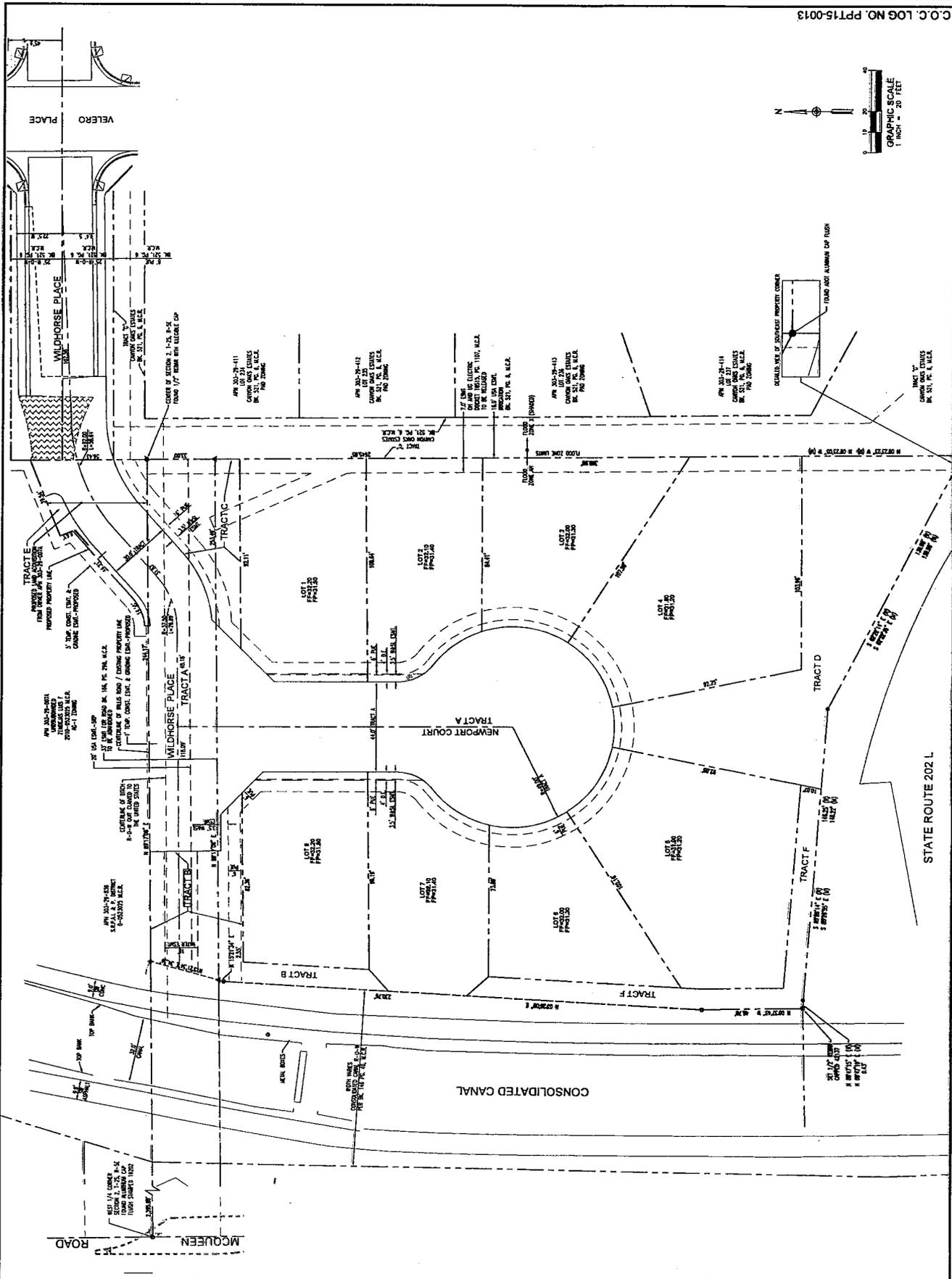




**PRELIMINARY PLAT**  
 CANAL VIEW HOMES  
 WILDHORSE PLACE  
 CHANDLER, ARIZONA 85286

SCALE: 1"=20'  
 DATE: 08/21/15  
 REVISIONS:  
 PROJECT NO.: 1304

PRELIMINARY PLAT EXHIBIT  
 SHEET: 2 OF 2  
 C2



C.O.C. LOG NO. PPT15-0013

***Canal View Homes***  
***Area Plan Amendment/PAD/PDP and Preliminary Plat***  
***Application Numbers: APL15-0006 and DVR15-0027***

**INTRODUCTION**

The Star Tech USA LLC is submitting this request for approval of an Area Plan Amendment; approval to Rezone the property to Planned Area Development (“PAD”); approval for a Preliminary Development Plan (“PDP”) and companion Preliminary Plat for the Subdivision Layout and Housing Product.

The subject property is located west of the southwest corner of Wildhorse Place and Velero Place (see Aerial photo). The property is currently zoned as AG-1 and vacant. Canal View Homes is a new residential community on a site that is currently vacant and undeveloped. The intent of these request are to accommodate the development of an 8 lot single-family residential community.

The first request is to amend the Chandler Airpark Area Plan (the “Plan”) Land Use designation on the subject +/- 2.04 acre property located west of the southwest corner of Wildhorse Place and Velero Place from the existing “LDR” (Low Density Residential) land use designation to “LMDR” (Low-Medium Density Residential). The companion PAD/PDP and Preliminary Plat requests are intended to allow the development of this property for a single-family detached residential subdivision. The proposed density for this residential subdivision will be 3.9 dwelling unit per acre.

The site is located within the Chandler Airpark Area Plan and is designated as “Low Density Residential”. This land use category would allow development of 1.6 to 3.5 dwelling units per acre. West of the subject site is an existing canal. To the north is a single-family home (zoned AG-1). To the east are single family homes within the Canyon Oaks Estates residential community zoned PAD. To the south exists the San Tan Loop 202 Freeway. The subject site is an irregular shaped remnant piece left over from the development of the San Tan Loop 202 freeway. The only access to the site will be from Wildhorse Place, a local street.

**REQUESTS**

Four applications have been filed for the site: 1) Annexation from the County to City of Chandler; 2) The second applications seeks an Area Plan Amendment of the Chandler Airpark Area Plan. This request seeks to change the existing “LDR” (Low Density Residential) land use designation to “LMDR” (Low-Medium Density Residential); 3) The third application seeks to rezone the 2.04 acre site from AG-1 to Planned Area Development (“PAD”) for single-family homes with a companion Preliminary Development Plan (“PDP”) and 4) Preliminary Plat approval.

The intent of this Area Plan Amendment and companion PAD/PDP requests are to establish specific standards to guide the development for a quality residential community with up to 8 single family residential homes. Canal View Homes will be of an upscale nature that will entice new single-family home buyers to this area of the City.

We believe the change in Land Use from LDR to LMDR is minor given that the proposed PAD/PDP request is for only 8-lot single-family residential lots. We believe the proposed LMDR category will be one that is more compatible with the existing and planned land uses in the surrounding area. We believe this request for a compatible residential category is an overall improvement to the Area Plan since it will provide another quality single-family ownership opportunity.

### *Area Plan Amendment*

The Chandler Airpark Area Plan designates this 2.04 acre property as “LDR” (Low Density Residential 1.6 to 3.5 dwelling units per acre).” The request is to change the land use designation from the existing “LDR” (Low Density Residential) land use designation to “LMDR” (Low-Medium Density Residential). As noted in the Chandler Airpark Area Plan, “LDR-Low Density Residential denotes where increased residential density can be accommodated, within a range of 1.6 to 3.5 dwelling units per acre.” The existing Low-Density Residential land use designation would allow up to 7 lots on this 2.4 acre property.

The requested Low-Medium Density Residential designation allows up to 8 dwelling units per acre; however, with the proposed PAD zoning and companion PDP the site only seeks approval of 8 lots or 3.9 dwelling units per acre which is more appropriate due to the parcel size, access constraints, and existing and planned development pattern for this part of the City. If the companion PAD/PDP is approved on the subject site it would further “lock-in” the maximum dwelling units per acre to 3.9 and or a maximum of 8 detached single family residential homes. The proposed single family residential community development is an ideal use at this location because it fits well with the intent of Area Plan desires for this area, it is compatible with the adjacent residential development to the north and east, and provides a compatible land use density for an area.

Goal 4.0 of the Chandler Airpark Area Plan encourages creating quality residential developments for Airpark Area citizens. The quiet, high quality residential development seeks a density range which compliments the surrounding residential land uses and one that blends seamlessly with surrounding area. It also fills a growing need in the community for new and more upscale single family home ownership opportunities. The proposed amendment provides a compatible land use to the area, adds to the City’s housing demand and provides a logical land use solution to this challenging property.

Policy 4.1 of the Chandler Airpark Area Plan encourages a mix of housing types and densities within the Airpark Area. Given that this is a low-medium density residential request this

proposal provides another residential opportunity between a canal, freeway and existing residential to the north and east. Also given that Wildhorse Place does not continue past the canal to the west and the area's street circulation provide constraints, the proposed density range fits well with the existing single family residential fabric. The proposed amendment does not adversely impact this portion of the planning area but does the opposite. It provides a better balance in residential land uses for this area. For many of the same reasons outlined for the area plan amendment, the rezoning request is appropriate.

### ***Rezoning and Preliminary Development Plan***

The companion PAD/PDP application seeks approval to Rezone the property from AG-1 to Planned Area Development ("PAD"). This request also seeks companion approval for a Preliminary Development Plan ("PDP") and Preliminary Plat for the Subdivision Layout and Housing Product to allow an 8-lot single family residential detached home subdivision. The proposed density for this residential subdivision will be 3.9 dwelling unit per acre.

The goal of the site design is develop this vacant land which has been land locked for many years with a compatible detached single-family residential subdivision. In order to achieve access to this land locked parcel, a deal was negotiated with the property owner to the north to purchase a portion of his land to allow access to the development through a private road. The owners worked closely with the City to make sure the design works and is acceptable to the City.

This project will have a single entry and includes 8 single family detached homes, tot-lot and its own open space/retention areas for its residents to enjoy. This is a well-organized architecturally pleasant residential project. Its style blends smoothly into southwestern Spanish style.

### **SITE DESIGN**

The site is designed to mostly emphasize the simplicity of a cul-de-sac circulation design with one main entrance. A continuous landscape strip is provided along entrance adjacent to the property to create a pleasant drive up to this development. An enhanced entry is provided at the main entry to provide a sense of arrival to this community. All lots are designed so that they face inward onto the site internal cul-de-sac road.

The home designs are in harmony with the existing neighborhood development while making efficient use of the land and meeting City of Chandler design guidelines and standards with minor deviations which have been requested by submitting form UDM-173/Engineering (Please reference attached request dated July 13, 2015).

The home designs consist of two two-story floor plan types ranging from approximately 2,900 SF to about 3,400 SF with minor optional variations for each floor plan type. Five different elevation types have been designed for the homes and the elevation styles are differentiated by changes to the façade with variations to decorative architectural elements, balcony configurations, covered/uncovered balconies, variations to the roof line, introduction of different

window styles and shutters as well as introduction of manufactured stone material for some elevations. The exterior elevation characters are consistent with the adjacent and surrounding homes in the area. The homes will have wood framing construction with concrete tile roofs and stucco exterior finish with multiple southwest desert color schemes.

Effort has been made to keep building setbacks consistent with the surrounding community. Based on the infill nature, side setbacks are a minimum of 5' although many lots will allow for a 5' and 10' setback. Typical building setbacks provided along the perimeter of the development are: 22'-0" along north property line, 10'-0" along east property line, 15'-0" along west property line, 10'-0" along south property line. Landscape setbacks provided along the perimeter of the development are: 12'-0" along north property line, 0'-0" along east property line, 10'-0" along west property line, 10'-0" along south property line. There are two on site retention areas located within this project that can be used by children and grown-ups. These areas are landscaped with trees and plantings. There are plenty of parking spaces available throughout the site.

Building setbacks will comply with the attached PDP plan. Landscape setback shall comply as shown on the PDP plan.

Development Standards	
Minimum Lot Area:	5, 117 square feet
Minimum Lot Width:	Per Plan
Maximum Lot Coverage:	50%
Maximum Building Height:	2-story or 30-feet
Setbacks:	
Front:	18-feet from back of curb.
Rear:	Minimum 10-feet.
Side:	Minimum 5-feet side.

**RESIDENTIAL PRODUCTS**

As mentioned above, there are two types of residential floor plans. Building layout and setbacks shall comply with the above Development Standards. All homes provide adequate sized driveway to accommodate two additional parking spaces, modern appliances, and energy efficient air-conditioning units.

Residential products will comply with all required architectural diversity elements along with each home have been designed with optional elements.

Required Elements are:

1. Four sided architecture.
2. Front door visible from street.
3. Enhance rear elevation.

4. Variety of roof colors.
5. Durable exterior material.

### **CONCLUSION**

We believe this Area Plan Amendment, PAD with PDP requests and Preliminary Plat for a new single-family residential project is consistent with the surrounding land use and zoning and provides a good land use solution for this vacant infill site. It also provides an opportunity for first time buyer in this area of the City. Approval of this Area Plan Amendment and companion PAD/PDP requests will not be detrimental to the area. Indeed, we feel it will be beneficial. The proposed development provides a unique, high quality residential development with innovative site design that is compatible with the neighborhood.

Vacant parcels without productive use tend to destabilize and degrade the adjacent area. Stylish exterior architectural detailing, quality construction, along with lush exterior landscaping will transform this vacant eye sore into a beautiful new high quality residential development. This Area Plan Amendment for a Low-Medium Density Residential request and companion PAD/PDP and Preliminary Plat requests for a residential development will fit well into the fabric of this community.

In an effort to reach out to the surrounding community through dialogue the developer has come to an agreement to install improvements requested by the community where possible and or achievable pending approvals by SRP (due to certain easements) and City of Chandler. Please reference attached agreement appendix for a list of items agreed upon as a result of the neighborhood meetings.



MEMORANDUM

Airport Memo No. AP16-021

**DATE:** NOVEMBER 19, 2015  
**TO:** JEFF KURTZ, PLANNING ADMINISTRATOR  
**FROM:** CHRIS ANDRES, AIRPORT ADMINISTRATOR *CA*  
**SUBJECT:** AIRPORT CONFLICT EVALUATION  
DVR15-0027 CANAL VIEW HOMES

At their November 18, 2015 meeting, the Chandler Airport Commission ("Commission") discussed the rezoning request for the Canal View Homes subdivision development located near the northeast corner of Loop 202 and the Consolidated Canal.

Finding: The Commission determined the proposed development **constitutes a conflict** with existing or planned airport uses.

Conflict(s) Cited: The proposed development contains single-family residential units and the site will experience aviation noise and vibration impact from aircraft in the normal airport traffic pattern.

Conflict Resolution(s): If the development is approved, physical and administrative corrective actions should be employed including, without limitation:

Physical corrective actions: (1) construction of all houses built with noise attenuation construction materials and techniques to reduce the ambient interior noise levels to less than 45 decibels; (2) installation of at least one roadway-style sign at the site's entrance identifying the presence of low flying aircraft.

Administrative corrective actions: (1) all prospective purchasers of property in the subdivision should be required to sign separate disclosure statements, (i) acknowledging the proximity to the Chandler Airport, and (ii) the potential for impact from aviation noise and vibrations; (2) all prospective purchasers of property should be required to sign the disclosure statements before a purchase contract is signed and again at the transaction closing; (3) dedication of an aviation easement to the City; (4) display of a large size map in the onsite sales office identifying the Airport Impact Overlay District, the noise contours and overflight patterns as depicted in Exhibit 6A in the FAR Part 150 Noise Compatibility Study document as adopted by the Chandler City Council (Resolution No. 2950, 11-5-98), and the noise contours as identified in the Chandler

Airpark Area Plan; (5) submittal of a signed affidavit and photograph of the prior referenced map display; (6) inclusion of an affirmative disclosure statement on the final plat; (7) inclusion of the physical and administrative corrective actions in the Subdivision Public Report that is submitted to the Arizona Department of Real Estate.

Commission Members in Attendance: Chairman Kelly McMullen, Vice Chairman David Sperling, Chelle Daly, Schulyer "Sky" McCorkle, and Frank Nechvatal were in attendance. This attendance represented a quorum.

Per the Airport Conflicts Evaluation Process, the Commission voted 5-0 to forward a report to the Planning Administrator indicating the finding noted above.

Attached is a full copy of the Airport Conflict Evaluation for the above referenced project.

cc: Kevin Mayo, Planning Manager

Attachment: Airport Conflict Evaluation



**Chandler • Arizona**  
*Where Values Make The Difference*

**MEMORANDUM**

**Airport - Memo No. AP16-020**

**DATE:** NOVEMBER 18, 2015

**TO:** CHANDLER AIRPORT COMMISSION

**FROM:** CHRIS ANDRES, AIRPORT ADMINISTRATOR *CA*

**SUBJECT:** AGENDA ITEM 4.B. - AIRPORT CONFLICT EVALUATION  
-DVR15-0027 CANAL VIEW HOMES  
NEAR NORTHEAST CORNER OF PASEO TRAIL AND LOOP 202 SANTAN  
FREEWAY

**RECOMMENDATION:**

Staff recommends the Airport Commission present an Airport Conflict Evaluation (ACE) report to the Zoning Administrator and City Council with a finding of "conflict with airport uses" for the proposed Canal View Homes single-family residential subdivision.

**BACKGROUND:**

The approximately 2 acre site is located near the northeast corner of the Paseo Trail and the Loop 202 Santan freeway, which is approximately one-half mile (1/2 mi.) north of the Chandler Municipal Airport property line. (*Exhibit A - Vicinity Map, Exhibit B - Property Location*). The property is bounded by an existing single-family residential subdivision to the east, planned multifamily development to the west, a single family home to the north, and the Loop 202 freeway to the south.

The proposed project is an eight lot single family residential subdivision (*Exhibit C - Site Plan, Exhibit D: Elevations*) with an average home size of 6,850 sq. ft. with 2 stories. The Applicant's request is:

- Rezoning from Agricultural District (AG-1) and Planned Area Development (PAD) for Single Family Residential with;
- A Preliminary Development Plan (PDP) for subdivision layout and design;

A Chandler Airpark Area Plan Amendment will be forthcoming to increase the density to allow for 3.6 to 8 dwelling units per acre (du/ac).

The City of Chandler General Plan designates the property for residential and denotes that the property is within the Airpark Area Plan. The Airpark Area Plan designates the site as Low-Density Residential, allowing 1.6 to 3.5 du/ac (*Exhibit E – Chandler Airpark Area Plan Land Use Plan*).

ANALYSIS:

The proposed single-family residential use is: i) within the Low-Medium Density Residential category, and is consistent with the Airpark Area Plan.

The subject property is approximately one-half mile (1/2 mi.) north of the Airport property line. The proposed development will experience a significant number of daily overflights from aircraft in the normal airport traffic pattern (*Exhibit F – Flight Tracks*). Flight operations are typically between sunrise and sunset and, at this location, the flight traffic pattern altitude for fixed wing aircraft is approximately 800 feet above ground level. However, aircraft may frequently be at lower altitudes. Outdoor activities are especially susceptible to overflight noise, depending on the nature of the activity. Single family residences under or near the flight traffic pattern are a significant source of noise complaints for the Airport.

Based on the maximum allowable building heights, the proposed development does not appear to pose a hazard to flight safety or be an airspace obstruction.

Due to the proximity to the Airport, the developer will need to file a Notice of Proposed Construction with the Federal Aviation Administration.

AIRPORT CONFLICT EVALUATION PROCESS

In January 2002, the City Council adopted an Airport Conflicts Evaluation (ACE) Process policy requiring any zoning changes within the nine square-mile Chandler Airpark Area to be reviewed by the Airport Commission to determine if the use and/or development will be a conflict with current and future airport operations. The ACE policy specifically outlines the Commission's tasks as they relate to this review. These tasks are noted in underline and italics:

1. *The Airport Commission's determination as to whether conflicts exist between the proposed development and airport uses.*
2. *If conflicts exist, the specific areas of conflict.*
3. *If conflicts exist, a statement of corrective actions which can be taken, if there are any.*
4. *The Airport Commission Members voting in support of the Airport Commission's determination and those members voting in opposition to the Airport Commission's determination.*

Airport staff provides the Airport Commission with information and a recommendation regarding the proposed project and the conflict evaluation process. Staff will compile and forward an ACE report that summarizes the Airport Commission's discussion and findings to the Zoning Administrator. Planning staff will report the Airport Commission's findings regarding potential for airport conflicts to Planning and Zoning Commission and to City Council.

FINDINGS

1. The Airport Commission's determination as to whether conflicts exist between the proposed development and airport uses. A conflict **exists** between the proposed development and proposed airport uses.
2. If conflicts exist, the specific areas of conflict. The proposed development contains single-family residential units and the site will experience aviation noise and vibration impact from aircraft in the normal airport traffic pattern.
3. If conflicts exist, a statement of corrective actions which can be taken, if there are any.

If the development is approved, physical and administrative corrective actions should be employed including, without limitation:

Physical corrective actions: (1) construction of all houses built with noise attenuation construction materials and techniques to reduce the ambient interior noise levels to less than 45 decibels; (2) installation of at least one roadway-style sign at the site's entrance identifying the presence of low flying aircraft.

Administrative corrective actions: (1) all prospective purchasers of property in the subdivision should be required to sign separate disclosure statements, acknowledging (i) the proximity to the Chandler Airport and (ii) the potential for impact from aviation noise and vibrations; (2) all prospective purchasers of property should be required to sign the disclosure statements before a purchase contract is signed and again at the transaction closing; (3) dedication of an avigational easement to the City; (4) display of a large size map in the onsite sales office identifying the Airport Impact Overlay District, the noise contours and overflight patterns as depicted in Exhibit 6A in the FAR Part 150 Noise Compatibility Study document as adopted by the Chandler City Council (Resolution No. 2950, 11-5-98), and the noise contours as identified in the Chandler Airpark Area Plan; (5) submittal of a signed affidavit and photograph of the prior referenced map display; (6) inclusion of an affirmative disclosure statement on the final plat; (7) inclusion of the physical and administrative corrective actions in the Subdivision Public Report that is submitted to the Arizona Department of Real Estate.

4. The Airport Commission Members voting in support of the Airport Commission's determination and those members voting in opposition to the Airport Commission's determination. To be determined through Commission discussion and action.

PUBLIC MEETINGS

On September 29, 2015, a public neighborhood meeting was held at the Chandler Municipal Airport Terminal, 2380 S. Stinson Way in Chandler. No members of the public attended.

On November 2 2015, the Airport Commission's Development and Land Use Subcommittee reviewed the proposed development and unanimously voted to find a "conflict with airport uses".

PROPOSED MOTION:

Memo No. AP16-020

Page 4

Move to present an Airport Conflicts Evaluation (ACE) report to the Zoning Administrator and City Council with a finding of "conflict with airport uses" for Canal View Homes.

ATTACHMENTS:

- A. Vicinity Map
- B. Property Location
- C. Site Plan
- D. Elevations
- E. Chandler Airpark Area Plan Land Use Plan
- F. Flight Tracks

EXHIBIT A: VICINITY MAP

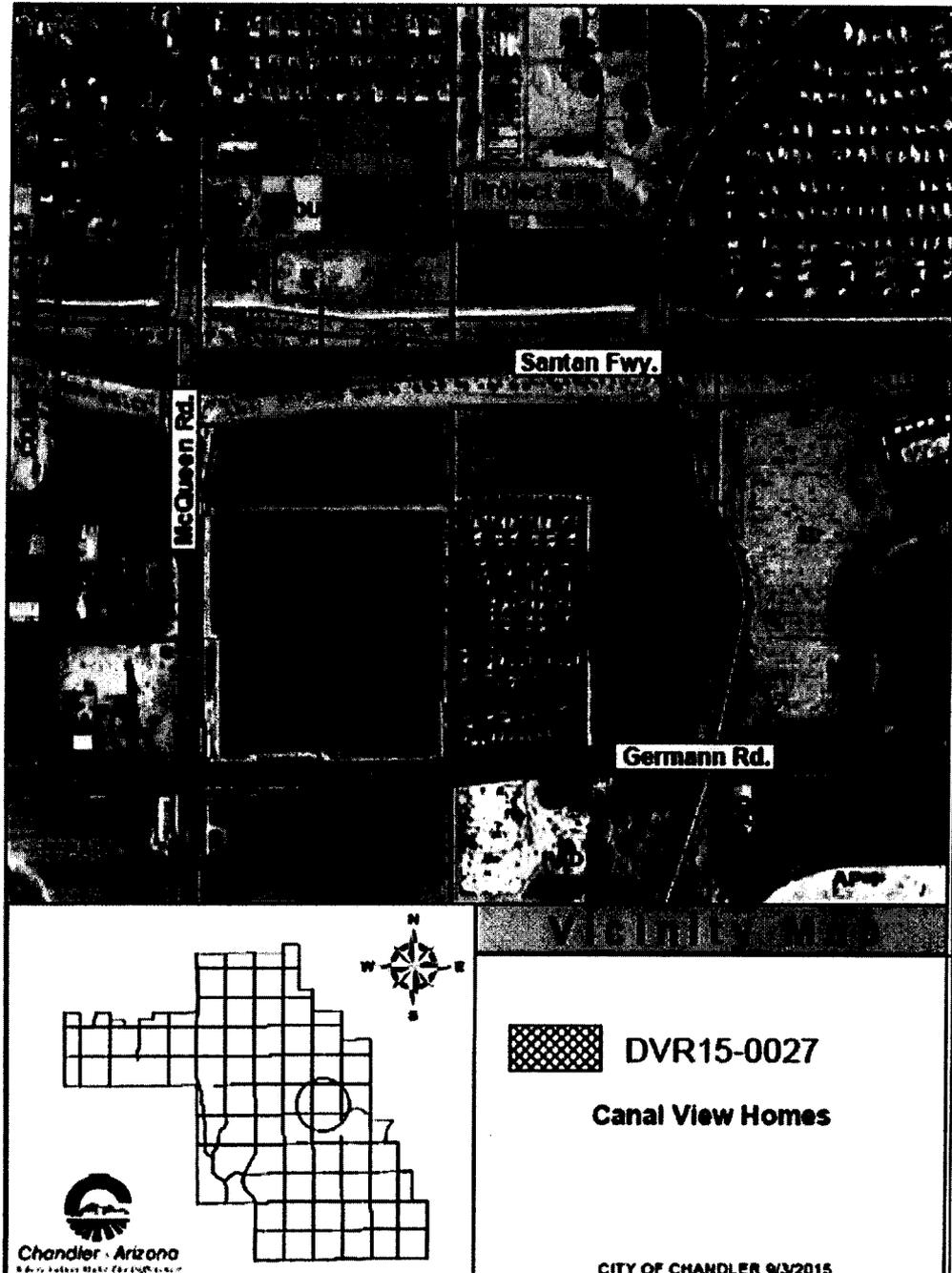






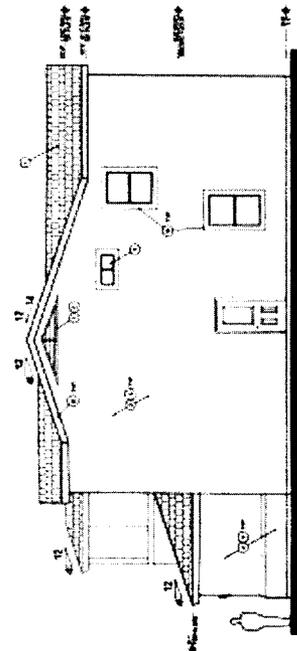
EXHIBIT D: ELEVATIONS

ARCHITECTURE DEVELOPMENT MATRIX, PLLC  
 2515 W. UNIVERSITY BLVD., SUITE 100  
 CHANDLER, AZ 85224



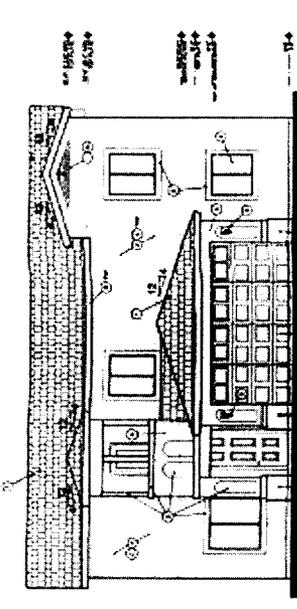
FOR PRELIMINARY USE ONLY  
 NOT TO BE USED FOR CONSTRUCTION OR RECORDING



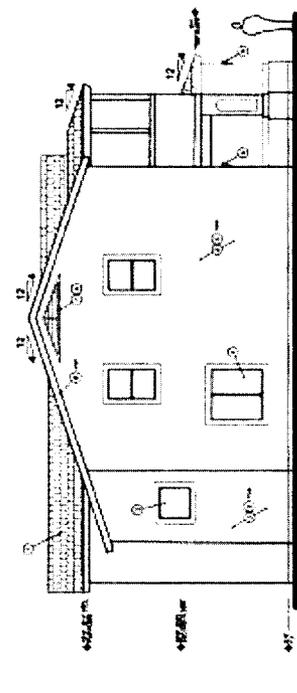
UNIT 'A' - RIGHT ELEVATION - OPTION 1  
 SCALE 1/8" = 1'-0"

SCALE 1/8" = 1'-0"

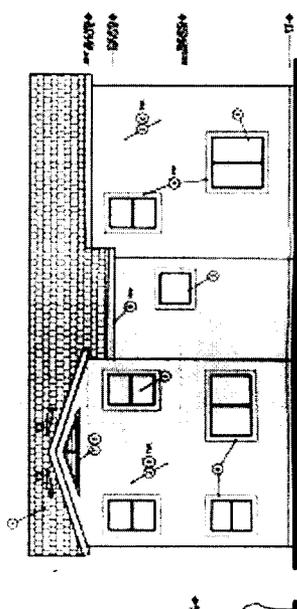


UNIT 'A' - FRONT ELEVATION - OPTION 1  
 SCALE 1/8" = 1'-0"

KEYNOTES	PAINT SCHEDULE	MATERIAL SCHEDULE
1. All exterior walls shall be finished with 1/2" thick concrete block masonry.	1. EXTERIOR WALLS: 100% White Primer, 100% White Finish.	1. EXTERIOR WALLS: 100% White Primer, 100% White Finish.
2. All exterior windows shall be finished with 1/2" thick concrete block masonry.	2. EXTERIOR WINDOWS: 100% White Primer, 100% White Finish.	2. EXTERIOR WINDOWS: 100% White Primer, 100% White Finish.
3. All exterior doors shall be finished with 1/2" thick concrete block masonry.	3. EXTERIOR DOORS: 100% White Primer, 100% White Finish.	3. EXTERIOR DOORS: 100% White Primer, 100% White Finish.
4. All exterior roofs shall be finished with 1/2" thick concrete block masonry.	4. EXTERIOR ROOFS: 100% White Primer, 100% White Finish.	4. EXTERIOR ROOFS: 100% White Primer, 100% White Finish.
5. All exterior floors shall be finished with 1/2" thick concrete block masonry.	5. EXTERIOR FLOORS: 100% White Primer, 100% White Finish.	5. EXTERIOR FLOORS: 100% White Primer, 100% White Finish.



UNIT 'A' - LEFT ELEVATION - OPTION 1  
 SCALE 1/8" = 1'-0"

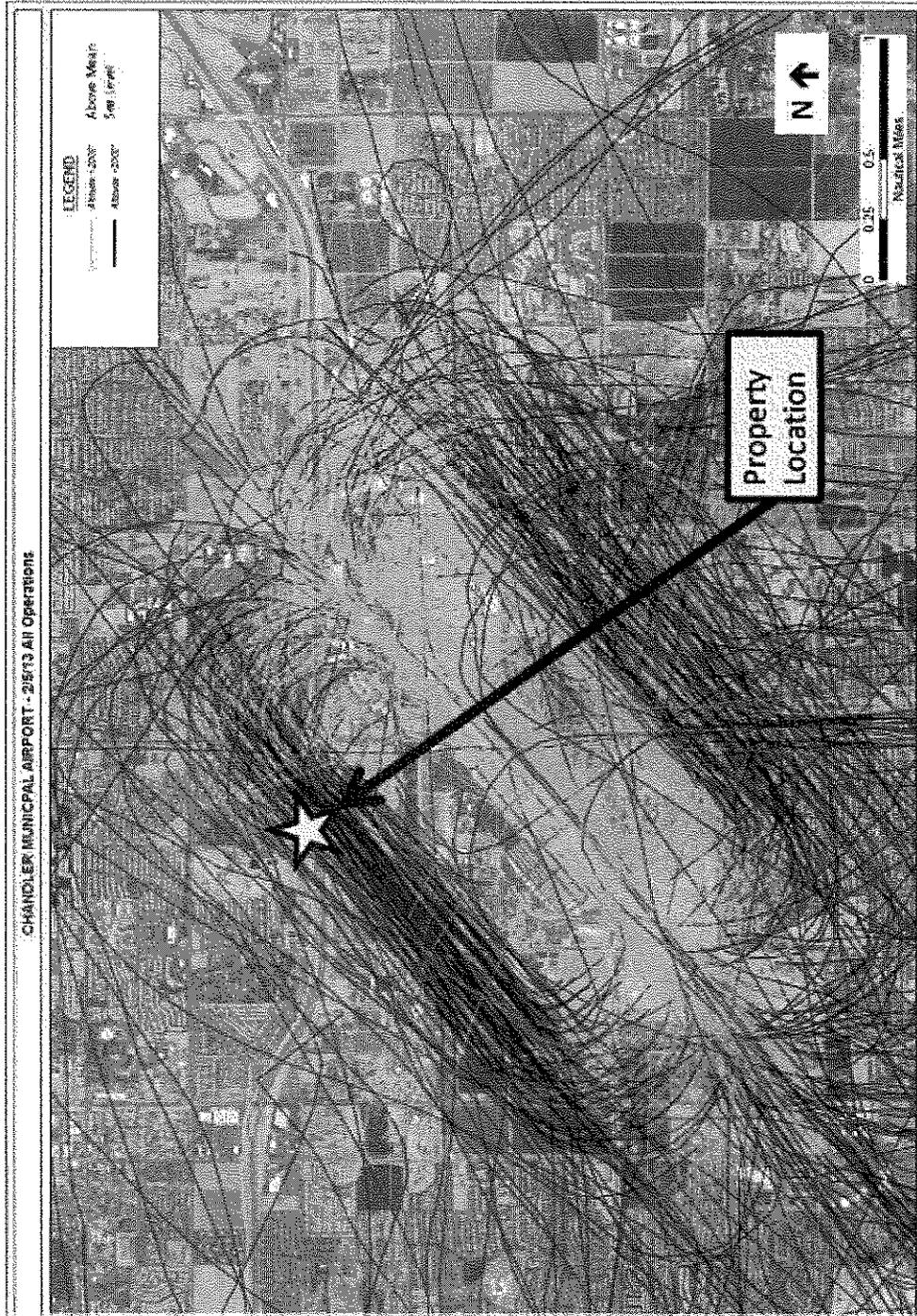


UNIT 'A' - BACK ELEVATION - OPTION 1  
 SCALE 1/8" = 1'-0"

A3.0



EXHIBIT F: FLIGHT TRACKS



**RESOLUTION NO. 4931**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, ADOPTING AN AMENDMENT TO THE "CHANDLER AIRPARK AREA PLAN" FROM LOW DENSITY RESIDENTIAL TO LOW-MEDIUM DENSITY RESIDENTIAL ON PROPERTY LOCATED AT THE SOUTHEAST CORNER OF THE CONSOLIDATED CANAL AND THE WILDHORSE PLACE ALIGNMENT

WHEREAS, an interest has been expressed in seeking approval of a rezoning request, pending approval of an Area Plan amendment, for a particular development proposal located at the southeast corner of the Consolidated Canal and the Wildhorse Place alignment; and

WHEREAS, the Land Use and Neighborhood Planning Elements of the Chandler General Plan adopted by the City Council on June 26, 2008, encourage the preparation of neighborhood plans/Area Plans that address distinct characteristics and support unique land use planning for each area; and

WHEREAS, an existing area plan, the "Chandler Airpark Area Plan", has been adopted for the area bounded by Pecos Road, Arizona Avenue, Ocotillo Road, and Gilbert Road.

WHEREAS, the applicant prepared this amendment to the existing "Chandler Airpark Area Plan"; and

WHEREAS, such an amendment, covering a portion of the adopted Area Plan including a map, has been prepared by the applicant for consideration by the City Council after having received public input from the Planning and Zoning Commission and property owners at a previous public hearing;

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

SECTION I. That the attached map exhibit, an Amendment to the "Chandler Airpark Area Plan", as presented to the Planning and Zoning Commission and approved at their public hearing held on February 3, 2016, is hereby adopted as the guideline for future rezoning and development for the area described within it.

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona, this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

ATTEST:

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

\_\_\_\_\_  
MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Resolution No. 4931 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting was held on the \_\_\_\_\_ day of \_\_\_\_\_, 2016, and that a quorum was present thereat.

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

APPROVED AS TO FORM:

  
\_\_\_\_\_  
CITY ATTORNEY



**ORDINANCE NO. 4686**

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM AGRICULTURAL (AG-1) TO PLANNED AREA DEVELOPMENT (PAD) FOR SINGLE-FAMILY RESIDENTIAL IN CASE DVR15-0027 CANAL VIEW HOMES 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 AG-1 to PAD for Single-Family Residential, subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Canal View Homes", kept on file in the City of Chandler Planning Division, in File No. DVR15-0027, 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. 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.
5. 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.
6. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or homeowners' association.
7. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls.
8. The following stipulations shall be the responsibilities of the subdivider/homebuilder/developer and shall not be construed as a guarantee of disclosure by the City of Chandler:
  - a) Prior to any lot reservation or purchase agreement, any and all prospective homebuyers shall be given a separate disclosure statement, for their signature, fully acknowledging that this subdivision lies within the Chandler Municipal Airport Impact Overlay District, as specified in the Chandler Zoning Code. The disclosure statement shall acknowledge the proximity of this subdivision to the Chandler Airport and that an avigational easement exists and/or is required on the property, and further, shall acknowledge that the property is subject to aircraft noise and over flight activity. This document signed by the homebuyer shall be recorded with Maricopa County Recorder's Office upon sale of the property.
  - b) The subdivider/homebuilder/developer shall also display, in a conspicuous place within the sales office, a map illustrating the location of the subdivision within the Airport Impact Overlay District, as well as the noise contours and over flight patterns, as identified and depicted in the document entitled Chandler Municipal Airport, F.A.R. Part

150, Noise Compatibility Study, Noise Compatibility Program, Exhibit 6A (Potential Airport Influence Area), as adopted by the Chandler City Council (Resolution No. 2950, 11-5-98). Such map shall be a minimum size of 24" x 36".

- c) Compliance with this condition shall be demonstrated by the subdivider/homebuilder/developer by submittal of a signed affidavit and photograph that acknowledges this disclosure and map display prior to beginning any sales activity. Failure to comply with this condition will result in revocation of the Administrative Use Permit for the temporary sales office. All requirements as set forth in this condition are the obligation of the subdivider/homebuilder/developer and shall not be construed as a guarantee of disclosure by the City of Chandler.
  - d) The above referenced information shall also be included within the Subdivision Public Report to be filed with the State of Arizona Department of Real Estate, as required by Arizona Revised Statute 28-8486 and Arizona Revised Statute 28-8464.
  - e) The subdivider/homebuilder/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.
  - f) All homes and buildings shall be designed and built to achieve an interior noise level not to exceed 45 decibels (Ldn) from aircraft noise. A professional acoustical consultant, architect or engineer shall certify that the project's construction plans are in conformance with this condition.
  - g) The Final Plat shall contain the following statement on the cover sheet in a prominent location and in large text:

"This property is located within the Chandler Municipal Airport Impact Overlay District and is subject to aircraft noise and over flight activity, and is encumbered by an avigational easement to the City of Chandler."
9. 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 heliport at the Chandler Municipal Airport 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 heliport, 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 \_\_\_\_\_, 2016.

ATTEST:

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

\_\_\_\_\_  
MAYOR

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona this \_\_\_\_ day of \_\_\_\_\_, 2016.

ATTEST:

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

\_\_\_\_\_  
MAYOR

**CERTIFICATION**

I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 4686 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the \_\_\_\_ day of \_\_\_\_\_, 2016, and that a quorum was present thereat.

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

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY



PUBLISHED:

