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#27
MAR 17 2016



MEMORANDUM Law Department

DATE: MARCH 17, 2016

TO: MAYOR AND COUNCIL

FROM: KAY BIGELOW, CITY ATTORNEY 

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

RECOMMENDATION: Staff recommends City Council continue the public hearing listed herein as PH1 to the July 28, 2016, Regular City Council Meeting.

BACKGROUND/DISCUSSION:

The subject 15.6-acre site received zoning approval from Agricultural District (AG-1) to Planned Area Development (PAD) in November 2005 under Ordinance No. 3740.

Ordinance No. 3740 included a three-year time limit condition No. 6 which expired on January 12, 2009. Council approved a three (3) year time extension in 2009 which expired in January 2012, and again in January 2013, which expired in January 2015. On July 9, 2015, City Council approved a continuance of this matter to the October 22, 2015, Council meeting in order to allow staff and property owner to consider alternatives to the current zoning approvals for the property. On October 22, 2015, City Council approved a continuance of this matter to the December 10, 2015, Council meeting in order to allow staff and property owner to continue efforts to modify the zoning designations for the property. On December 10, 2015, City Council approved a continuance of this matter to the February 11, 2016, Council meeting to allow the applicant time to submit a rezoning application for the property.

On February 11, 2016, City Council approved a continuance to the March 17, 2016, Council meeting to afford planning staff the opportunity to review the PAD zoning application.

STAFF COMMENTS:

Since the February 11, 2016, continuance, staff has reviewed the PAD/PDP rezoning application submittal and recently provided staff comments on the PAD/PDP applications to the property owner. Additionally, staff met with the property owner and its representatives on March 7th to review staff comments to the PAD/PDP applications. Based on that meeting, it is anticipated the property owner will submit a revised PAD rezoning application for planning staff review and,

assuming the revised submittal is responsive to staff comments, the application will proceed to hearing before the Planning Commission and appear on a future Council agenda in approximately June 2016.

A continuance of the Public Hearing to the July 28, 2016, Council meeting will afford staff and the property owner the opportunity to process and present, for Council consideration, the rezoning application for the subject property. If the Council approves the new zoning for the property in June, it can also move to vacate the future hearing date of July 28, 2016 pending for the existing zoning of the property.

FINANCIAL IMPLICATIONS: None.

PROPOSED MOTION: Move to approve the continuance of the public hearing listed herein as PH1 to the July 28, 2016 regular Council meeting.