

MEMORANDUM Planning Division – CC Memo No. 16-122

DATE: NOVEMBER 10, 2016
TO: MAYOR AND CITY COUNCIL
THRU: MARSHA REED, CITY MANAGER [initials]
JEFF KURTZ, PLANNING ADMINISTRATOR [initials]
KEVIN MAYO, PLANNING MANAGER [initials]
FROM: ERIK SWANSON, SENIOR CITY PLANNER [initials]
SUBJECT: DVR16-0007 LANDMARC CHANDLER HEIGHTS
Introduction and tentative adoption of Ordinance No. 4725

Request: Rezoning from Agricultural (AG-1) to Planned Area Development for a single-family residential home, with Preliminary Development Plan approval for site layout.

Location: East of the southeast corner of Chandler Heights Road and 130th Street

Applicant: Brennan Ray, Burch and Cracchiolo

RECOMMENDATION

Upon finding the request to be consistent with the General Plan and Southeast Chandler Area Plan, Planning Commission and Planning Staff recommend City Council approve the rezoning and PDP, subject to conditions.

BACKGROUND

The subject site is located east of the southeast corner of Chandler Heights Road and 130th Street. Chandler Heights Road runs along the site's frontage with the recently approved, and under construction, Maracay Homes single-family residential subdivision east and south. West, adjacent to the site, is a single-family home within the jurisdiction of the County.

Annexation of the site is underway and will be concurrent with the rezoning request at City Council. An unfinished home is on the site. The home was constructed in the County, however, prior to receiving final approval a sliver of land that was part of the site was sold off to the property owner to the east. The sale of the parcel rendered the site as non-conforming within the

County and permit approval was suspended. Through the development of the residential property to the east, the property owners dedicated the sliver of property back to the site resulting in the property meeting conformance. Upon annexation and rezoning of the site, the property owners will construct a garage to meet City of Chandler requirements and will receive a final inspection from the City.

The Chandler Land Use Element of the General Plan designates the site as Residential. The Southeast Chandler Area Plan further designates the land use category as Rural/Agrarian, allowing for single-family residential.

### **DISCUSSION**

Upon approval of the request a number of items will be completed at the site including a new driveway and garage, relocation of screen walls to meet dedication requirements and the increase of size in the property, and completing all exterior and interior improvements to bring the residence into code compliance.

### **PUBLIC / NEIGHBORHOOD NOTIFICATION**

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on April 21, 2016. Three neighbors attended and asked general questions; general support of the request was provided.
- As of the writing of this memo, Planning Staff is not aware of any concerns or opposition.

### **PLANNING COMMISSION VOTE REPORT**

Motion to Approve:

In Favor: 6      Opposed: 0

### **RECOMMENDED ACTIONS**

#### **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 the attached exhibits and kept on file in the City of Chandler Planning Division, in File No. DVR16-0007, modified by such conditions included at the time the exhibits were approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
2. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
3. 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.

4. 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.
5. Construction of the garage shall commence above foundation walls within eighteen (18) months 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.

#### **Preliminary Development Plan**

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

1. Development shall be in substantial conformance with the attached exhibits and kept on file in the City of Chandler Planning Division, in File No. DVR16-0007, modified by such conditions included at the time the exhibits were approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
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. Prior to the issuance of occupancy for the home, construction of the garage shall be complete as required by all applicable building codes.

#### **PROPOSED MOTIONS**

##### **Rezoning**

Move City Council introduce and tentatively adopt Ordinance No. 4725 approving DVR16-0007 LANDMARC CHANDLER HEIGHTS, rezoning from AG-1 to PAD for a single-family residential home, subject to the conditions recommended by Planning Commission and Planning Staff.

##### **Preliminary Development Plan**

Move City Council approve Preliminary Development Plan DVR16-0007 LANDMARC CHANDLER HEIGHTS, for a single-family residential home, subject to the conditions recommended by Planning Commission and Planning Staff.

##### **Attachments**

1. Vicinity Maps
2. Site Plan
3. Elevations
4. Floor Plan
5. Existing Photos
6. Narrative
7. Ordinance No. 4725

4. 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.
5. 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.

#### **Preliminary Development Plan**

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

1. Development shall be in substantial conformance with the attached exhibits and kept on file in the City of Chandler Planning Division, in File No. DVR16-0007, modified by such conditions included at the time the exhibits were approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
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. Prior to the issuance of occupancy for the home, construction of the garage shall be complete as required by all applicable building codes.

#### **PROPOSED MOTIONS**

##### **Rezoning**

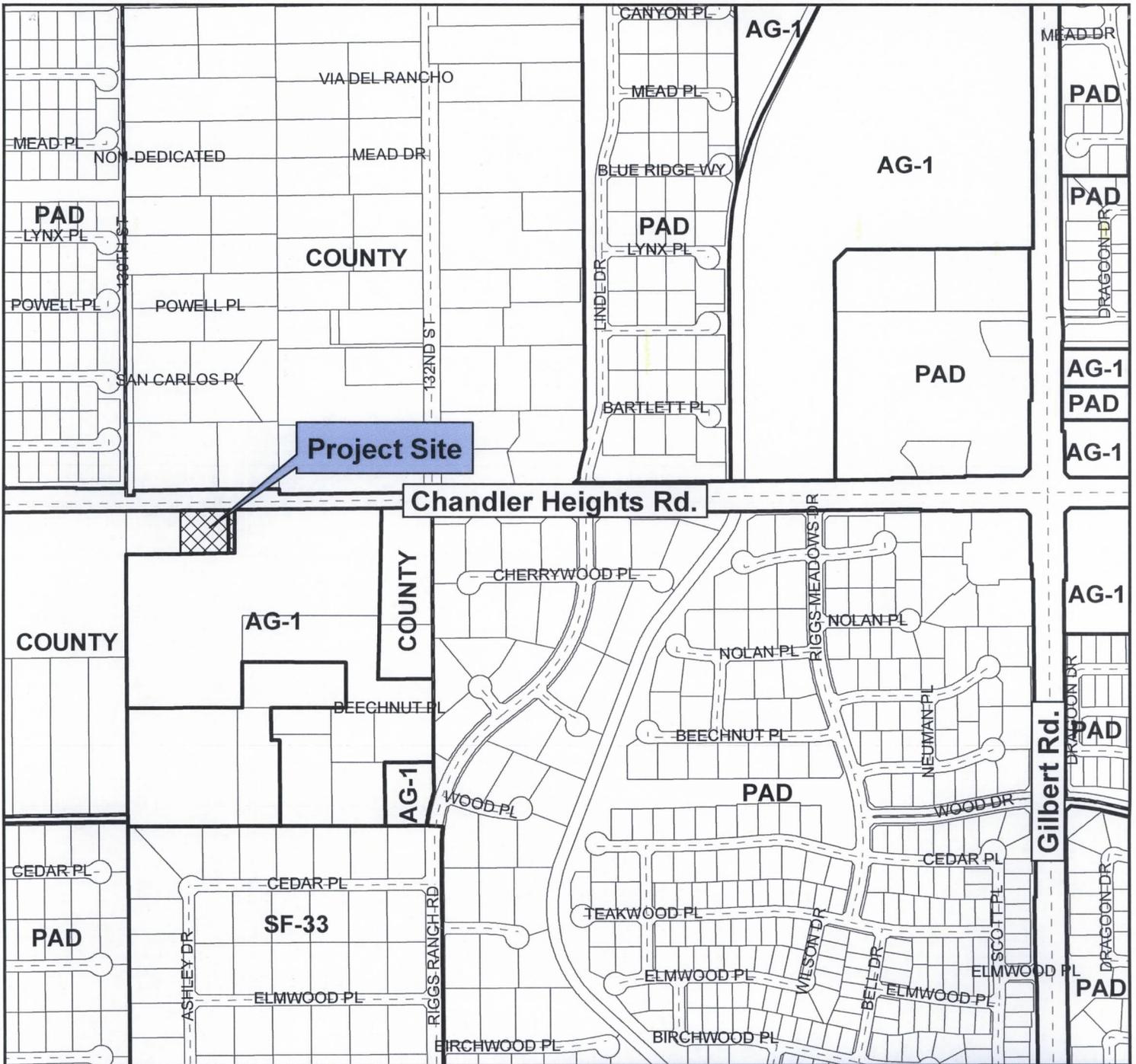
Move City Council introduce and tentatively adopt Ordinance No. 4725 approving DVR16-0007 LANDMARC CHANDLER HEIGHTS, rezoning from AG-1 to PAD for a single-family residential home, subject to the conditions recommended by Planning Commission and Planning Staff.

##### **Preliminary Development Plan**

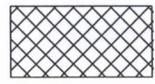
Move City Council approve Preliminary Development Plan DVR16-0007 LANDMARC CHANDLER HEIGHTS, for a single-family residential home, subject to the conditions recommended by Planning Commission and Planning Staff.

##### **Attachments**

1. Vicinity Maps
2. Site Plan
3. Elevations
4. Floor Plan
5. Existing Photos
6. Narrative
7. Ordinance No. 4725

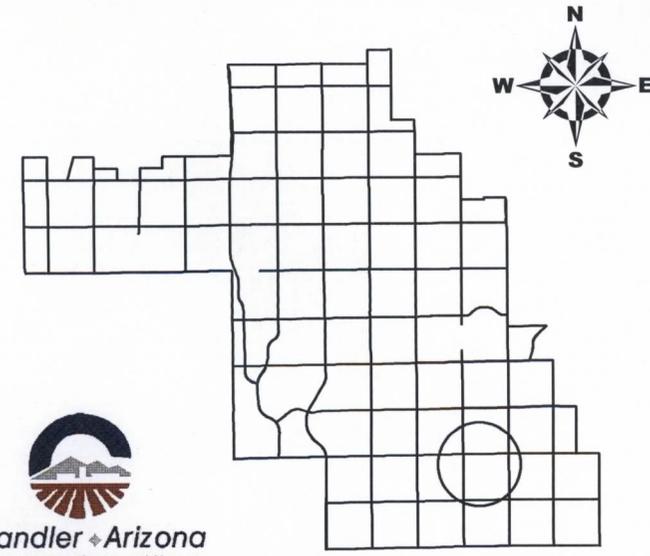


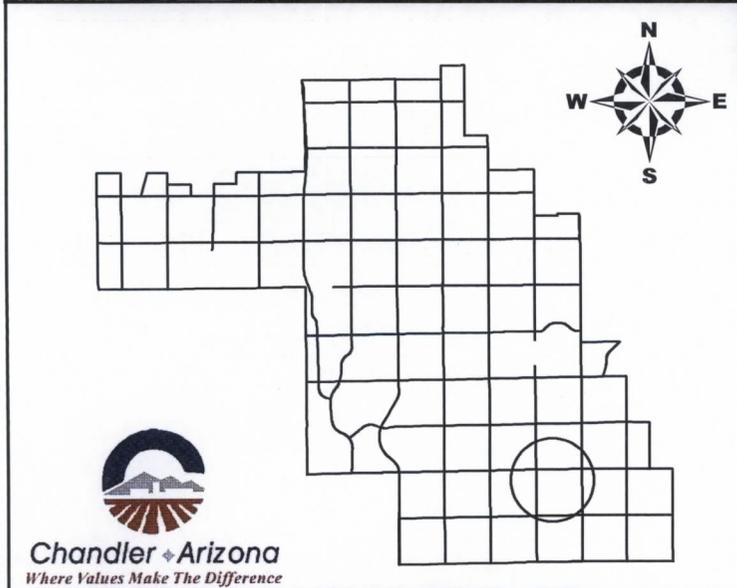
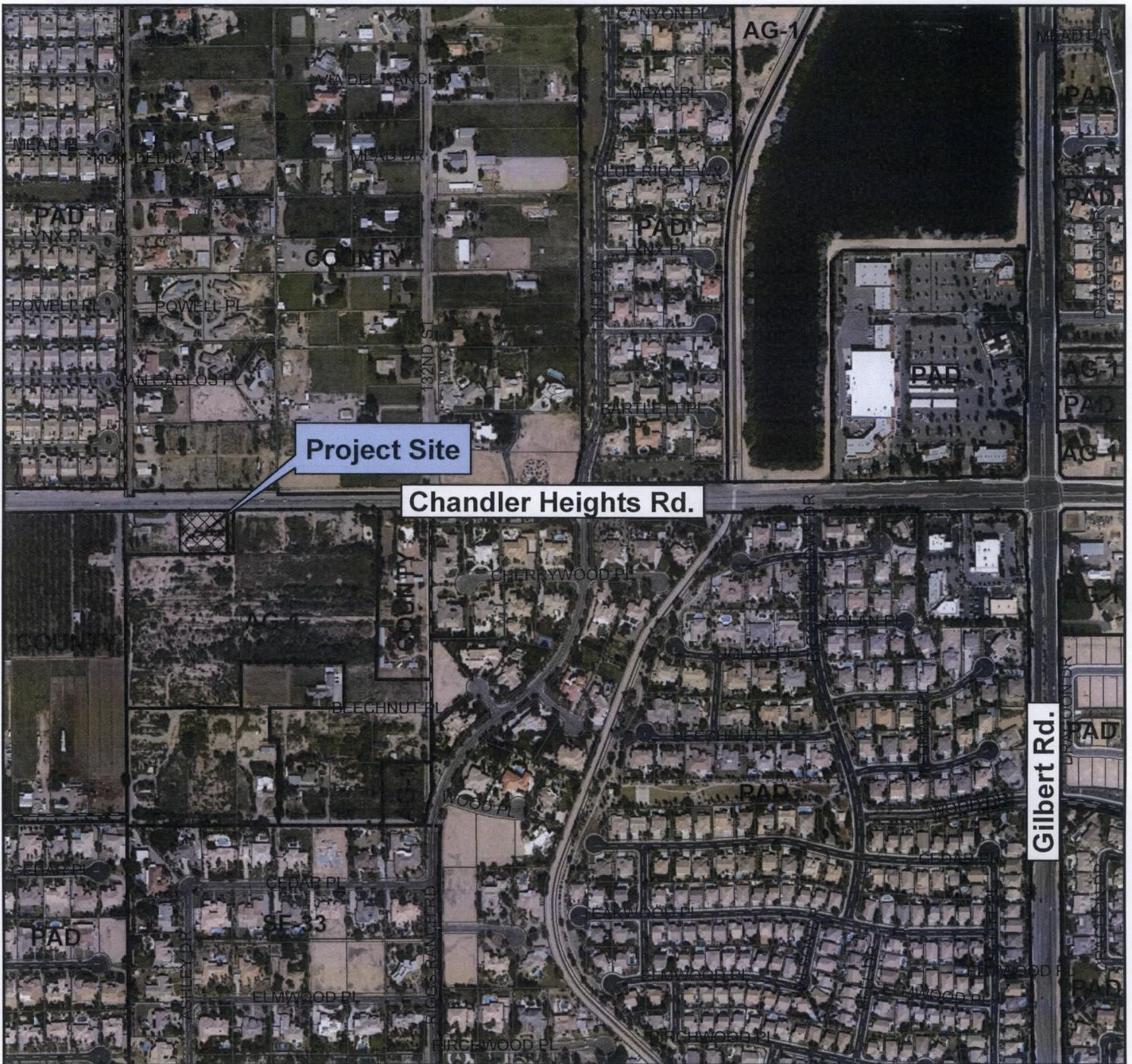
## Vicinity Map



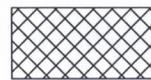
DVR16-0007

Landmarc-Chandler Heights





**Vicinity Map**



**DVR16-0007**

**Landmarc-Chandler Heights**







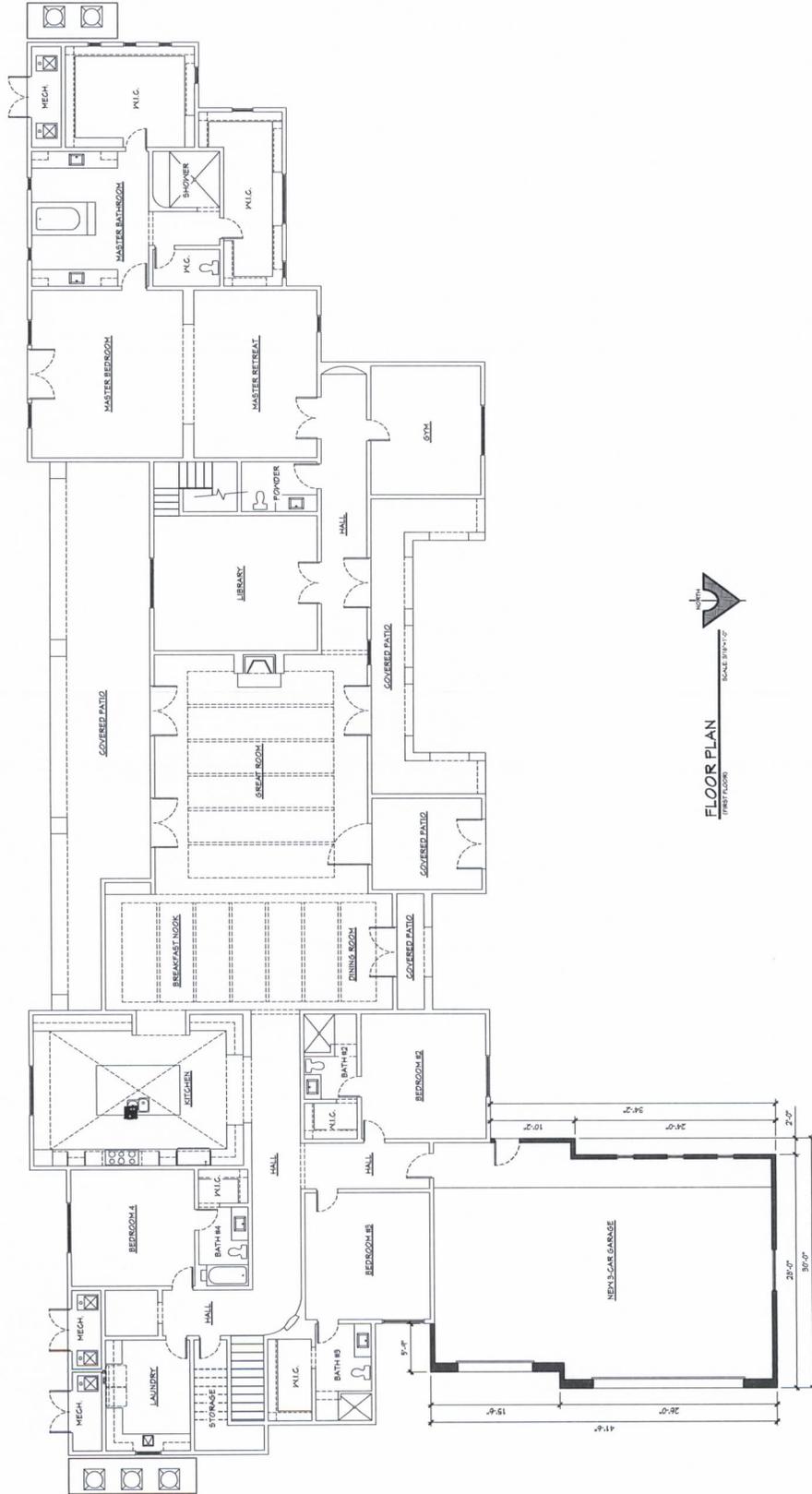
13011 E. Chandler Heights Road  
 CHANDLER, ARIZONA 85249  
 PH: 480.488.1234  
 FAX: 480.488.1235

REVISIONS

CHANDLER HEIGHTS SPEC HOME  
 13011 E. CHANDLER HEIGHTS ROAD  
 CHANDLER, ARIZONA 85249  
 OWNER: LANDMARC CAPITAL PARTNERS, LLC

PROJECT NO.: B500  
 SCALE: AS NOTED  
 DRAWN: L.B.  
 CHECKED: P.C.  
 DATE: FEBRUARY 7, 2018

A1.1





1900 E. Channing Road  
 Scottsdale, AZ 85258  
 480.345.1234

REVISIONS

CHANDLER HEIGHTS SPEC HOME  
 13017 E. CHANDLER HEIGHTS ROAD  
 CHANDLER, ARIZONA 85249  
 OWNER: LANDMARK CAPITAL PARTNERS, LLC

PROJECT NO:  
 19-002

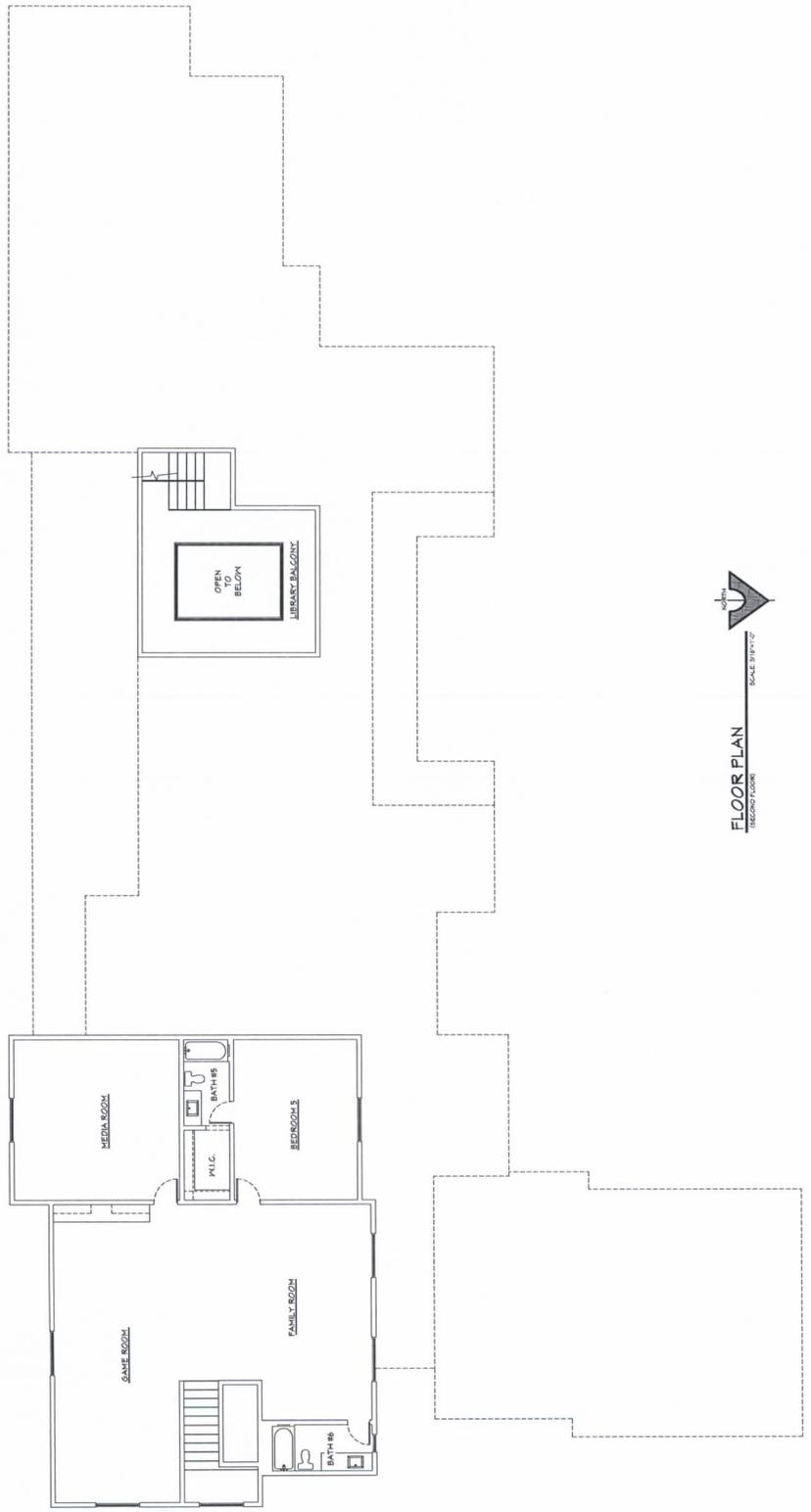
SCALE AS NOTED

DRAWN:  
 L.S.

CHECKED:  
 J.S.

DATE:  
 FEBRUARY 8, 2019

A1.2



**FLOOR PLAN**  
 SECOND FLOOR  
 SCALE 1/8" = 1'-0"



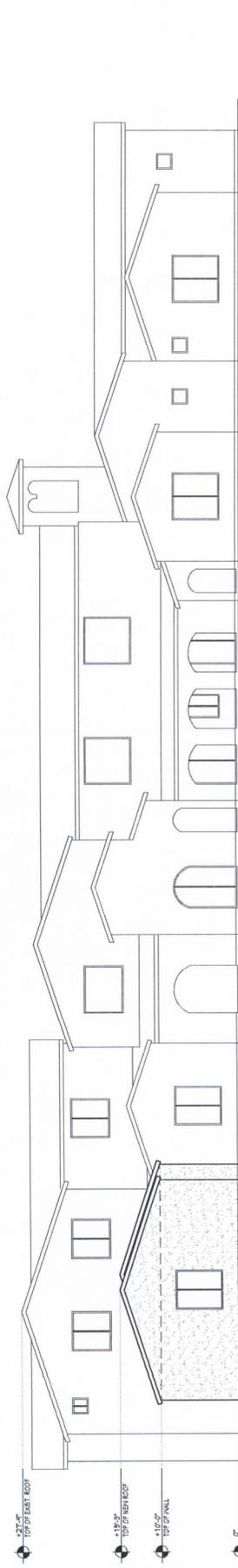
7800 E. Chandler Road  
 Suite 100  
 Chandler, Arizona 85249  
 PHOENIX, ARIZONA 85249

REVISIONS

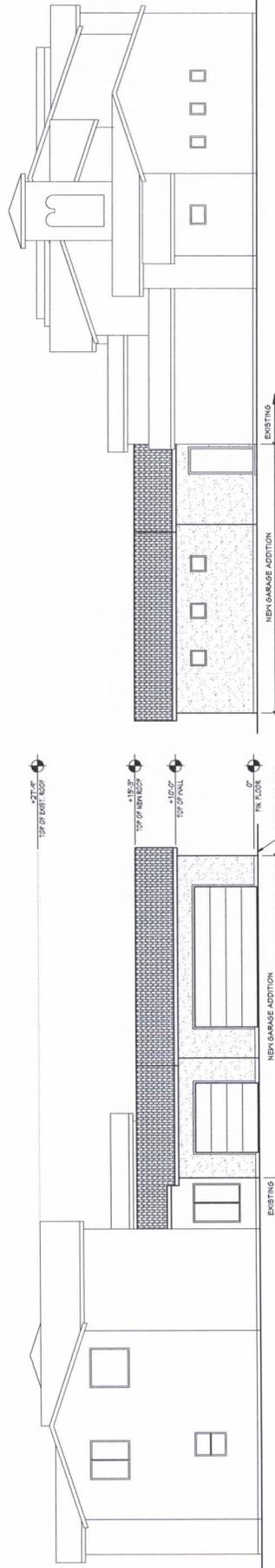
CHANDLER HEIGHTS SPEC HOME  
 13017 E. CHANDLER HEIGHTS ROAD  
 CHANDLER, ARIZONA 85249  
 OWNER: LANDMARC CAPITAL PARTNERS, LLC

PROJECT NO: 15-002  
 SCALE: AS NOTED  
 DRAWN: L.B.  
 CHECKED:  
 DATE: FEBRUARY 8, 2018

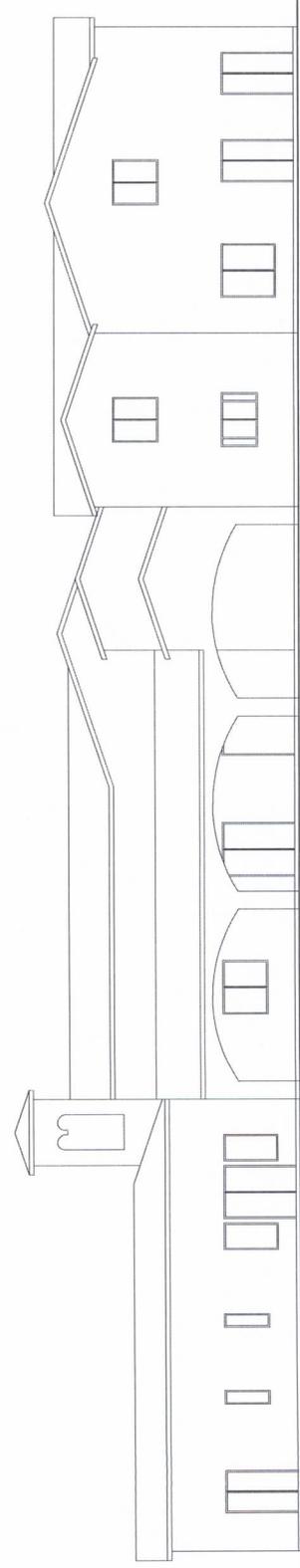
A2.1



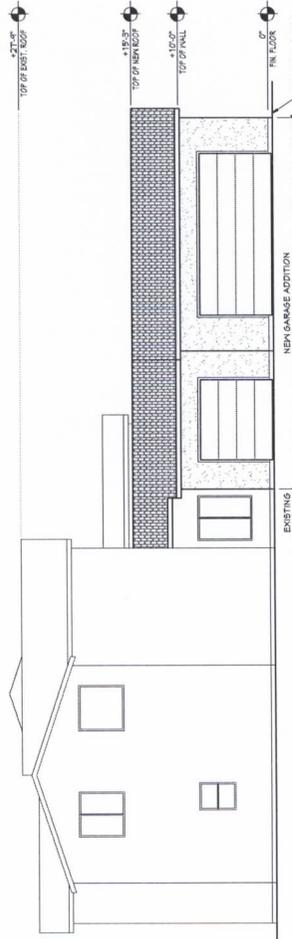
**NORTH ELEVATION**  
 SCALE 3/8"=1'-0"



**WEST ELEVATION**  
 SCALE 3/8"=1'-0"



**SOUTH ELEVATION**  
 SCALE 3/8"=1'-0"



**EAST ELEVATION**  
 SCALE 3/8"=1'-0"





## LANDMARC – CHANDLER HEIGHTS

### I. INTRODUCTION

Landmarc Capital Partners, LLC (“Landmarc”) is the owner of 1.177± acres located at 13017 E. Chandler Heights Road, east of the southeast corner of Cooper Road and Chandler Heights Road (the “Site”). Landmarc acquired the Site in approximately June 2009 after foreclosing on a construction loan that was made to the previous owner/developer. Prior to acquire the Site, construction was started on a single-family custom home but never completed nor was a certificate of occupancy issued due to economic challenges in 2008. Landmarc now seeks to complete construction on the home and zone the Site Planned Area Development (“PAD”) in the City of Chandler and receive Preliminary Development Plan (“PDP”) approval for the custom home. The propose PAD/PDP makes sense on this Site, is compatible with the neighboring developments, and will allow Landmarc to complete the home and sell it.

### II. SITE, SURROUNDING AREA, AND ZONING

An aerial outlining the Site is provided at **Exhibit 1**. The Site is bounded by Chandler Heights on the north, a single-family residence within unincorporated Maricopa County to the west, and single-family subdivision (currently under construction) within the City of Chandler (the “City”) to the south and east.

This PAD/PDP request is preceded by an application to annex approximately 0.13 acres of the Site into the City with an initial zoning designation of AG-1. The remaining XXX± acres is within the City and is zoned AG-1. The Site is designated on the City’s General Plan as Residential and is located within the Southeast Chandler Area Plan (“SECAP”). The SECAP identifies the Site as Rural Agrarian Character.

### III. PROPOSED PAD AND PDP

Landmarc’s proposed PAD is for a single-family residence that is compatible with the City’s General Plan, SECAP, and the surrounding area. Attached as **Exhibit 2** are photos of the Site/Home and as **Exhibit 3** is a Site Plan. Consistent with its desire to complete construction on the home, Landmarc is making the following improvements to the Site and the home’s exterior:

- Construct new 3-car garage addition at northeast of existing home. Finishes to match existing home.
- Install new driveway, add landscape and hardscape as required.
- Remove and relocate perimeter masonry fence at north & east side of property.
- Remove and replace all windows.
- Repair damaged perimeter fence as needed.
- Repair damaged roof tiles through-out existing roof.
- Trench and Install new utility lines. (Sewer, Water, Electrical)
- Repaint entire interior and exterior of home.

The above-proposed improvements are identified on the Site Plan (**Exhibit 3**), Floor Plan (**Exhibit 4**), and Elevations with Proposed Modifications (**Exhibit 5**). The Colors and Materials Palette is also included as **Exhibit 6**.

**A. Development Standards**

Landmarc is proposing the below development standards for the Site:

<b>Development Standard</b>	<b>Proposed Dev. Std.</b>
Max. Building Height	<b>35 feet or two stories (above grade)</b>
Front Yard Setback	<b>25 feet</b>
Rear Yard Setback	<b>40 feet</b>
Side Yard Setback --West --East	<b>25 feet 30 feet</b>
Lot Coverage	<b>18%</b>

**IV. PROJECT TEAM**

Owner: Landmarc Capital Partners, LLC  
Attn: Lisa Juel  
8485 E. McDonald Dr., Suite 319  
Scottsdale, AZ 85250

Builder: Peak One Builders & Restoration  
Attn: Luis Gonzalez  
7900 East Greenway Rd., Suite 200  
Scottsdale, AZ 85260  
Phone: (480) 481-5150

Zoning: Burch & Cracchiolo, P.A.  
Attn: Brennan Ray  
702 E. Osborn Rd., Suite 200  
Phoenix, Arizona 85014  
Phone: (602) 234-8794  
Fax: (602) 850-9794

**V. CONCLUSION**

The proposed PAD/PDP makes good land use sense and is consistent with the General Plan, and surrounding neighbors/ neighborhoods. Approval of the PAD/PDP will allow Landmarc to complete construction of the home and sell it. We request your approval.

**Landmarc Capital Partners, LLC**

**ORDINANCE NO. 4725**

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM AGRICULTURAL (AG-1) DISTRICT TO PLANNED AREA DEVELOPMENT (PAD) FOR A SINGLE-FAMILY HOME IN CASE DVR16-0007 LANDMARC CHANDLER HEIGHTS 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:**

The East Half of the North 220 feet of the West 440 feet of the Northeast quarter of the Northwest quarter of Section 25, Township 2 South, Range 5 East, of the Gila and Salt River Base and Meridian, Maricopa, County, Arizona;

Excepting the West 12.93 feet and North 33 feet thereof.

Said parcel is hereby rezoned from AG-1 to PAD for a single-family home, subject to the following conditions:

1. Development shall be in substantial conformance with the attached exhibits and kept on file in the City of Chandler Planning Division, in File No. DVR16-0007, modified by such conditions included at the time the exhibits were approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.

2. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
3. 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.
4. 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.
5. Construction of the garage shall commence above foundation walls within eighteen (18) months 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.

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

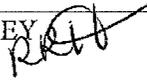
\_\_\_\_\_  
MAYOR

**CERTIFICATION**

I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 4725 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: