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OCT 25 2007



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MEMORANDUM

Public Works Department – Council Memo No. PWA08-019

DATE: OCTOBER 24, 2007

TO: MAYOR & COUNCIL

THRU: W. MARK PENTZ, CITY MANAGER
PAT MCDERMOTT, ASSISTANT CITY MANAGER

FROM: DANIEL W. COOK, ACTING PUBLIC WORKS DIRECTOR

SUBJECT: CONCRETE REPAIR AT ALL CITY TOWING

At the Council Study Session on Monday October 22, 2007, a question was raised concerning the schedule for completion of some concrete replacement at the All City Towing property on Delaware Street south of Highland Street. Public Works staff has confirmed that the required concrete repairs have been made and that the security bond has been released.

The concrete cracking referenced at the Council Study Session was determined by the inspection staff to be on property of All City Towing, not in the City right-of-way. As such, the replacement of that cracked concrete was not marked for removal by the City inspector and would, therefore, be at the discretion of All City Towing.

The cracks in the concrete driveway are narrow lateral separations that do not pose any safety or tripping hazard.

7

OCT 25 2007



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MEMORANDUM **Planning and Development – CC Memo No. 07-257**

DATE: OCTOBER 4, 2007

TO: MAYOR AND CITY COUNCIL

THRU: W. MARK PENTZ, CITY MANAGER *WMP*
 DOUG BALLARD, PLANNING AND DEVELOPMENT DIRECTOR *DB*
 JEFF KURTZ, ASSISTANT PLANNING AND DEVELOPMENT DIRECTOR *JK*
 BOB WEWORSKI, PLANNING MANAGER *KM for BW*

FROM: KEVIN MAYO, PRINCIPAL PLANNER *KM*

SUBJECT: DVR07-0029 CACTUS TOWING PARCEL 2
 Introduction and Tentative Adoption of Ordinance No. 3978

Request: Rezoning from Planned Area Development (PAD) for Conceptual Planned Industrial District (I-1) uses to Planned Area Development (PAD) Amended, along with Preliminary Development Plan (PDP) approval for the expansion of an impound yard and towing facility

Location: Southwest corner of Delaware and Highland Streets (approximately ¼ mile south and east of the southeast corner of Arizona Avenue and Warner Road)

Project Info: Approximately 3-acres of an approximate 6-acre site, existing 1,596 square-foot office building

Applicant: John Larowe
 Weiss Magness Architects

RECOMMENDATION

Upon finding the request to be consistent with the General Plan, Planning Commission and Staff recommend approval subject to conditions.

BACKGROUND

The request is for rezoning from Planned Area Development (PAD) for Conceptual Planned Industrial District (I-1) uses to Planned Area Development (PAD) Amended, along with

Preliminary Development Plan (PDP) approval for the expansion of an impound yard and towing facility on approximately 3-acres of an approximate 6-acre site located at the southwest corner of Delaware and Highland Streets (approximately ¼ mile south and east of the southeast corner of Arizona Avenue and Warner Road). The General Plan designates this parcel as Employment for major employers, industrial/business parks, and industrial support uses. The proposed zoning amendment is consistent with the General Plan.

The property is surrounded to the north by property zoned General Industrial (I-2) and I-2/PAD with various industrial uses. To the west is property zoned I-1, and to the east is an EZ-GO Textron Golf Cart company as well as a recently approved door manufacturing company. Adjacent to the proposed site on the south is the existing mobile home subdivision, Casas Del Campo. The subject 3-acre site (Parcel 2) received conceptual PAD zoning for I-1 uses in July 2003 as part of the larger 6-acre rezoning that included Preliminary Development Plan approval for the 3-acre Cactus Towing site (Parcel 1) on the southern half. An impound yard and towing facility is not permitted by right within an I-1 zoning district thus prompting the rezoning request on the vacant northern 3-acres.

The southern 3-acres (Parcel 1) has developed out with an approximate 1,600 square-foot office building and associated customer parking lot accessed off of the Delaware Street cul-de-sac. The existing impound yard is screened by an 8-foot high decorative concrete block wall and automatic rolling solid gate. The request is to expand the impound yard and towing facility to include the vacant northern 3-acres (Parcel 2). The decorative 8-foot high screen wall will be extended along Delaware and Highland Streets. Access to the subject site (Parcel 2) will be primarily through a cut in the existing northern screen wall of Parcel 1. Customer and tow truck access to Parcel 1 and ultimately Parcel 2 is from the Delaware Street cul-de-sac. A secondary emergency access gate will be provided along Highland Street. No additional buildings are proposed at this time.

Proposed site improvements include the construction of the decorative 8-foot high concrete block screen wall and perimeter landscaping. The screen wall includes sections of painted stucco with a high split-faced CMU band, or painted stucco over a split-faced CMU base. The screen wall's linear nature is diminished through 24-inch offsets that occur at a maximum 80-foot interval. The screened impound yard will include a stabilized milled asphalt dust proofing surface consistent with the surface applied within Parcel 1. All improvements will be installed as a single phase.

Cactus Towing is contracted through the Chandler Police Department, the Department of Public Safety, and Maricopa County Sheriffs Department for towing and impound services. The applicant represent that the existing facility on Parcel 1 processes approximately 300-400 cars per month. These vehicles on average are on-site for 2-5 days. As approved through condition, there is no stacking, demolition, salvage, dismantling, sale, or long-term storage of impounded vehicles. Once the improvements are completed for Parcel 2, the applicant anticipates a similar level of vehicle processing for Parcel 2.

The applicant has indicated to Staff the need for expansion is already evident. The applicant intends to start construction of the site improvements immediately following Council approval.

DISCUSSION

Staff supports the proposed zoning amendment finding it to represent a logical extension of the existing towing and impound facility. The facility's expansion will complete the vacant corner and provide an attractive street scene for Delaware and Highland Streets. Additionally, with the minimal permanent site improvements, future re-use of the site would be easily accomplished.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- This request was noticed according to the provisions of the City of Chandler Zoning Code.
- A neighborhood meeting was held on 09/18/07 at the Chandler Community Center. No neighbors attended the neighborhood meeting.

Staff has received no phone calls from adjacent property owners in opposition to the request. Staff has received one email from the neighboring door manufacturing company, voicing concerns regarding instances of towed vehicles being left out on the street. A copy of the email is attached to this memo. The applicant contacted the adjacent property owner to discuss the issue. The applicant informed the neighbor and Staff that the company is legally required to return a vehicle to the City right-of-way once the impound fees have been settled. Vehicle owners and/or agents of the vehicle owners are not legally permitted to retrieve the impounded vehicles from the private property. The applicant indicated that the majority of vehicles are retrieved by their owner shortly after being returned to the City right-of-way (Delaware Street cul-de-sac). In the event a vehicle remains on the street for more than 24-hours, the police are called, and the vehicle is re-impounded. Staff has added a condition requiring the applicant to maintain the cleanliness of the adjacent street to be free of any debris that may be a result of an impounded vehicle. The adjacent business owner no longer has any issue with the request.

PLANNING COMMISSION VOTE REPORT

Motion to approve:

In Favor: 4 Opposed: 0 Absent: 2 (Creedon, Rivers)

RECOMMENDED ACTION

Upon finding consistency with the General Plan, Planning Commission and Staff recommend approval to rezone the property from Planned Area Development (PAD) for Conceptual Planned Industrial District (I-1) uses to Planned Area Development (PAD) Amended, along with Preliminary Development Plan (PDP) approval for the expansion of an impound yard and towing facility, subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "CACTUS TOWING PARCEL 2" kept on file in the City of Chandler Current Planning Division, in file number DVR07-0029, except as modified by condition herein.
2. Right-of-way dedications to achieve full half widths for Highland Street and Delaware Street, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.

3. The landscaping in all open spaces and rights-of-way shall be maintained by the adjacent property owner or property owners association.
4. Approval by the Director of Planning and Development of plans for landscaping (open spaces and rights-of-way) and perimeter walls.
5. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
6. 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.
7. Completion of the construction, where applicable, 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.
8. There shall be no stacking, demolition, salvage, dismantling, sale, or long-term storage of impounded vehicles.
9. All vehicle storage shall occur behind the eight-foot high screen walls within the designated impound yard.
10. The landscaping shall be maintained at a level consistent with or better than at the time of planting. The site shall be maintained in a clean and orderly manner.
11. The adjacent rights-of-way shall be kept in a clean and orderly manner.

PROPOSED MOTION

Move to introduce and tentatively adopt Ordinance No. 3978 approving DVR07-0029 CACTUS TOWING PARCEL 2 rezoning, as recommended by Planning Commission and Staff.

Attachments

1. Vicinity Map
2. Ordinance No. 3978
3. Site Plan
4. Landscape Plan
5. Wall Exhibit
6. Email from Neighboring Business Owner
7. Development Booklet, Exhibit 'A'

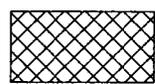
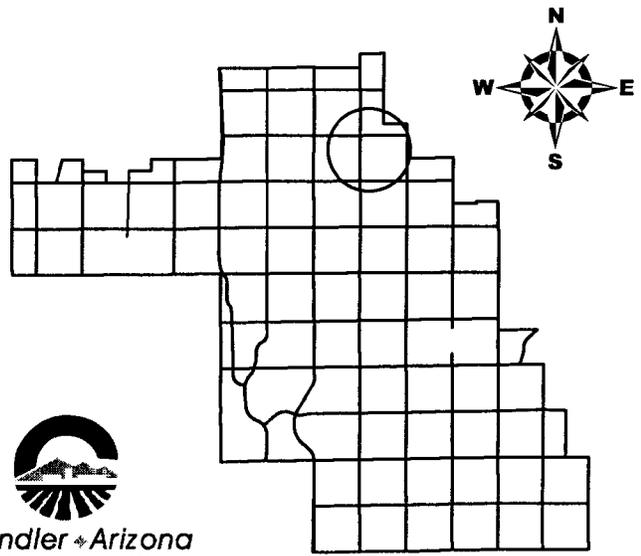


Warner Rd.

Arizona Ave.

Project Site

Vicinity Map



DVR07-0029

Cactus Towing Parcel 2



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CITY OF CHANDLER 6/22/2007

ORDINANCE NO. 3978

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM PLANNED AREA DEVELOPMENT (PAD) TO PLANNED AREA DEVELOPMENT (PAD) AMENDED (DVR07-0029 CACTUS TOWING PARCEL 2) 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 Planned Area Development (PAD) to Planned Area Development (PAD) Amended for the construction and expansion of an impound yard and towing facility, subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "CACTUS TOWING PARCEL 2" kept on file in the City of Chandler Current Planning Division, in file number DVR07-0029, except as modified by condition herein.

2. Right-of-way dedications to achieve full half widths for Highland Street and Delaware Street, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
3. The landscaping in all open spaces and rights-of-way shall be maintained by the adjacent property owner or property owners association.
4. Approval by the Director of Planning and Development of plans for landscaping (open spaces and rights-of-way) and perimeter walls.
5. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
6. 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.
7. Completion of the construction, where applicable, 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.
8. There shall be no stacking, demolition, salvage, dismantling, sale, or long-term storage of impounded vehicles.
9. All vehicle storage shall occur behind the eight-foot high screen walls within the designated impound yard.
10. The landscaping shall be maintained at a level consistent with or better than at the time of planting. The site shall be maintained in a clean and orderly manner.
11. The adjacent rights-of-way shall be kept in a clean and orderly manner.

SECTION II. Except where provided, nothing contained herein shall be construed to be an abridgment of any other ordinance of the City of Chandler.

ORDINANCE NO. 3978

Attachment 'A'

PARCEL DATA

ASSESSOR'S PARCEL No:

PARCEL 1 #302-39-003P	2.9237a 3.011a	(127,354 sq) NET (131,154 sq) GROSS
PARCEL 2 #302-39-003G	2.5162a 3.011a	(109,606 sq) NET (131,154 sq) GROSS
COMBINED AREA:	5.4399a 6.022a	(236,960 sq) NET (262,308 sq) GROSS

LEGAL DESCRIPTION

PARCEL 1

SOUTH $\frac{1}{2}$ of the following described property:
SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of SECTION 22, T15, R5E of the S4SRB4M
exc the West 335' and the South 732.60' THEREOF.

PARCEL 2

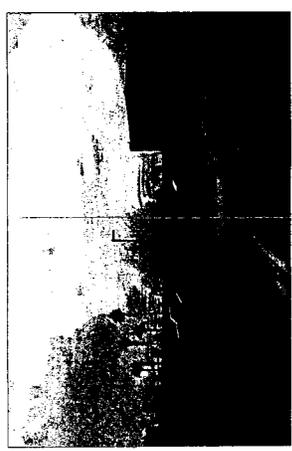
NORTH $\frac{1}{2}$ of the following described property:
SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of SECTION 22, T15, R5E of the S4SRB4M
exc the West 335' and the South 732.60' THEREOF.

CACTUS TOWING STORAGE LOT EXPANSION
 1600 N. DELAWARE ST.
 CHANDLER, ARIZONA

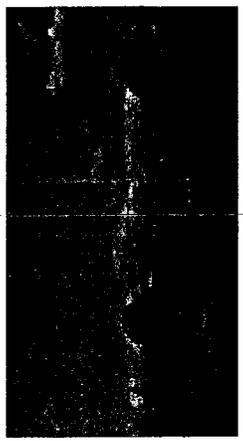


Project Name: Cactus Towing Storage Lot Expansion
 Date: 04-23-2024
 Drawn by: [Name]
 Checked by: [Name]
 Scale: 1" = 10'-0"
 PROJECT SITE WALL ELEVATION

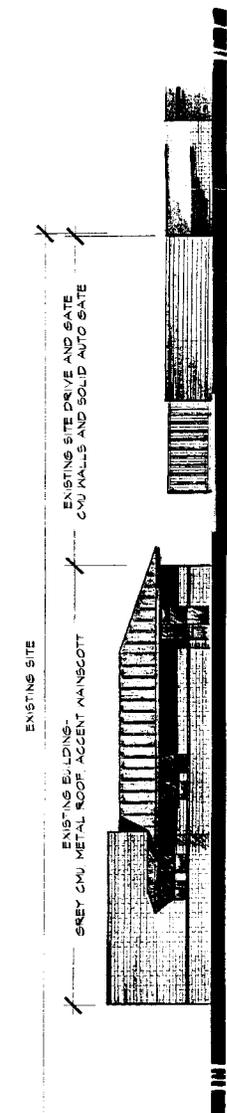
Sheet Number: **A1.1**



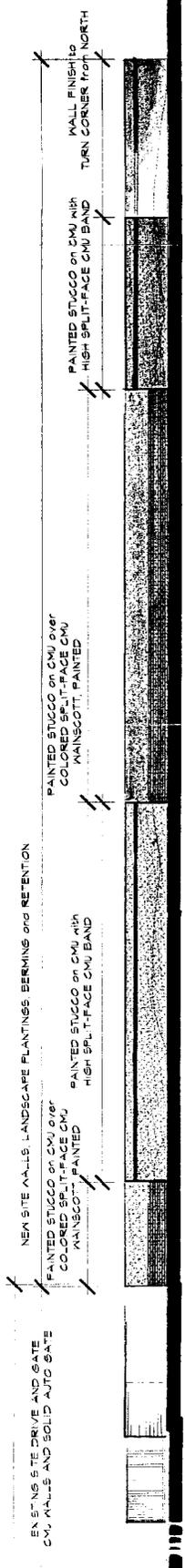
EXISTING FACILITY- SITE CONTEXT



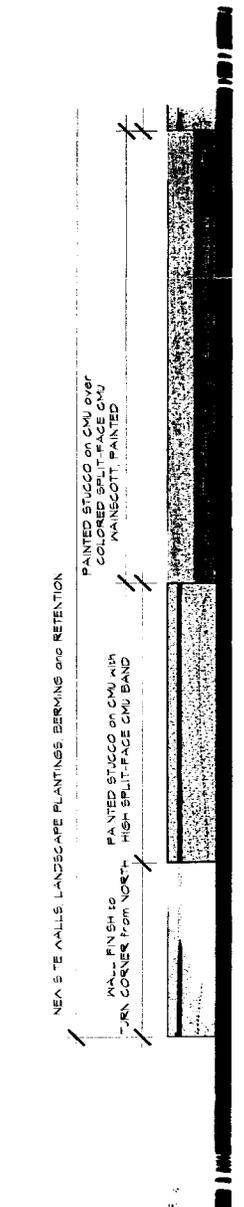
NORTHEAST SITE CONTEXT



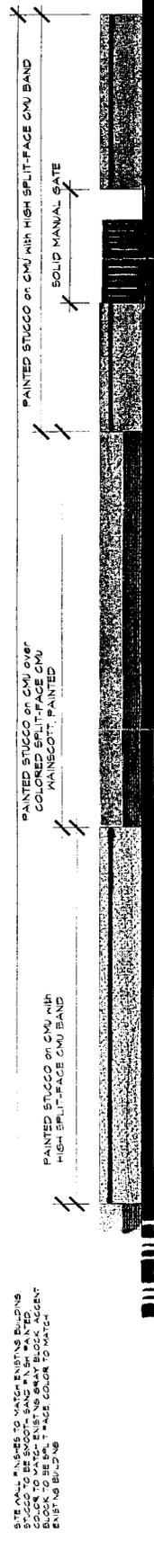
EAST SITE WALL ELEVATION- EXISTING FACILITY



EAST SITE WALL ELEVATION- DELAWARE STREET

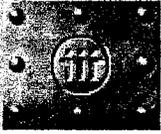


NORTH SITE WALL ELEVATION- EAST



NORTH SITE WALL ELEVATION- WEST

SITE WALL ELEVATIONS
 SCALE: 1" = 10'-0"
 0 5 10 20



Peter Plante/COC
09/20/2007 08:04 AM

To Kevin Mayo/COC
cc
bcc
Subject Fw: Door Mill Owner concer re: Cactus Towing Expansion

Kevin

Below is a message sent to me by Kelly Slade the Door Mill owner. I am forwarding it for your info/use.
P.

----- Forwarded by Peter Plante/COC on 09/20/2007 08:04 AM -----



"Kelly S."
<kelly@doormill.com>

09/20/2007 07:31 AM

Please respond to
<kelly@doormill.com>

To <Peter.Plante@chandleraz.gov>
cc
Subject RE: Door Mill Dust Collector TNT07-0504 - direction 7/17

Peter, we recently received notice of neighborhood meetings regarding the expansion of the cactus/all city towing property. While we won't be able to attend the meetings we would like to express our concerns about the numerous broken down vehicles left on the street on a daily basis. Some of them are missing tires, have smashed front ends and so on. It is very much an eyesore and I believe has a negative effect on the value of the buildings in the area. Hopefully this will be a topic of discussion at the meetings and the owners will be made to address this. Thanks in advance.