



Chandler • Arizona
Where Values Make The Difference

#21
MAY 08 2008

MEMORANDUM Planning and Development – CC Memo No. 08-092

DATE: APRIL 18, 2008

TO: MAYOR AND CITY COUNCIL

THRU: W. MARK PENTZ, CITY MANAGER
 DOUG BALLARD, PLANNING & DEVELOPMENT DIRECTOR
 JEFF KURTZ, ASSISTANT PLANNING & DEVELOPMENT DIRECTOR
 BOB WEWORSKI, PLANNING MANAGER

FROM: JODIE M. NOVAK, MEP, SENIOR CITY PLANNER

SUBJECT: DVR07-0030 ARROWHEAD PROFESSIONAL OFFICE BUILDING

Request: Action on the existing Planned Area Development (PAD) zoning to extend the conditional schedule for development, remove, or determine compliance with the three-year schedule for development or to cause the property to revert to the former Agricultural District (AG-1) zoning. The existing PAD zoning is for a general office building.

Location: Northwest corner of Ray Road and Arrowhead Drive, which is east of Dobson Road

Project Info: Approximately 1.5 gross acres, 9,400 square-foot single-story office building

Applicant/Owner: Angela Weisner for Triad Development, Don Collier (owner)

This request was continued from the April 10, 2008 City Council meeting to the May 8, 2008 meeting to allow the applicant additional time to address neighborhood concerns and site maintenance. The applicant has not addressed these two items and has requested City staff to proceed with processing the zoning time extension case. The applicant is no longer proceeding with the project for this property and will continue to market the site.

RECOMMENDATION

Upon finding the request to be consistent with the General Plan, Planning Commission and Staff recommend approval of the time extension for two (2) years in which the zoning would be in effect, pending City Council approval, until June 2009.

EXTENSION OF THE TIMING CONDITION

This application requests a time extension for an approximate 1.5 gross acre parcel at the northwest corner of Ray Road and Arrowhead Drive. The property was rezoned from AG-1 (Agricultural) to PAD for general office use with Preliminary Development Plan (PDP) approval in May 2004, which included a three-year development timing condition. The zoning became effective in June 2004 and expired in June 2007. The applicant has asked the City to process the requested 3-year time extension. It is the intent of Staff to recommend a one-year time extension; however, the site's zoning expired June 27, 2007 and a one-year time extension would expire June 28, 2008. Time extensions are calculated from the previous zoning approval's expiration. Therefore, Staff recommends a two-year time extension in which the zoning would be in effect, pending City Council approval, until June 2009.

The City has the following options when a zoning district's timing condition expires. The City could, through administrative action, extend the timing condition for another period of time, eliminate the timing condition, or by legislative action revert the zoning to its former zoning classification. If the City should approve the timing condition extension, all other conditions in the original approval would remain in effect.

BACKGROUND

The property is surrounded on all sides by single-family residential subdivisions developed in the early 1980's and 1990's. The site was a remaining out-parcel held by the Andersen family at the time surrounding property was sold and adjacent properties developed. In May 2004, the property was rezoned to allow general office use only, no medical or dental use, within a 9,400 square foot one-story building. The development met site and architectural standards including building setbacks and landscaping.

There has been no development activity on the site, which has been marketed for office the past three years. The property owner has not maintained the site in a clean, weed-free, and debris-free manner. Staff has advised the applicant to clean the site to be in compliance with the City property maintenance codes and address adjacent property owner concerns. In March 2008, the property owner advised Staff bids were being obtained for the site cleanup; however, the site was not cleaned-up.

If City Council recommends approval of a time extension and any other alternative design or use is proposed for this site, an amendment to the PAD zoning and/or PDP will be required. If the City should approve the timing condition extension, all other conditions in the original approval would remain in effect. Staff has no concerns with the conditions in the original approval. Attached is a copy of the approved ordinance including the conditions.

DISCUSSION

Staff is in support of the zoning time extension request. Staff is of the opinion the general office use allowed for this property is in compliance with the General Plan. General office use is a good infill use and transitional use adjacent to single-family homes.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on Tuesday, March 4, 2008. The applicant/property owner did not attend this meeting. An architect who was involved in the initial rezoning of the site attended; however, residents were upset that the property owner was not there. Residents stated the architect could not answer questions about site maintenance, damaged perimeter walls from the site's trees, returned letters sent to the property owner, and development timing. Staff received a sign-in sheet from an area resident, which included seven adjacent homeowners in attendance. Adjacent homeowners are upset that the property owner has not addressed their concerns for site maintenance and damage to their perimeter walls.
- Area residents have contacted Staff conveying they are not opposed to the site's PAD zoning for general office, but find it unacceptable to be ignored by the property owner who will not meet or speak with them. Residents have conveyed they would not be opposed to the site being reverted to AG-1 zoning since there is no development planned for the site. They just want the site cleaned-up and have their walls fixed. Two residents sent correspondence to the property owner, see attachments.

PLANNING COMMISSION VOTE REPORT

Motion to Approve.

In Favor: 5 Opposed: 0 Absent: 2 (Creedon, Kelley)

RECOMMENDED ACTION

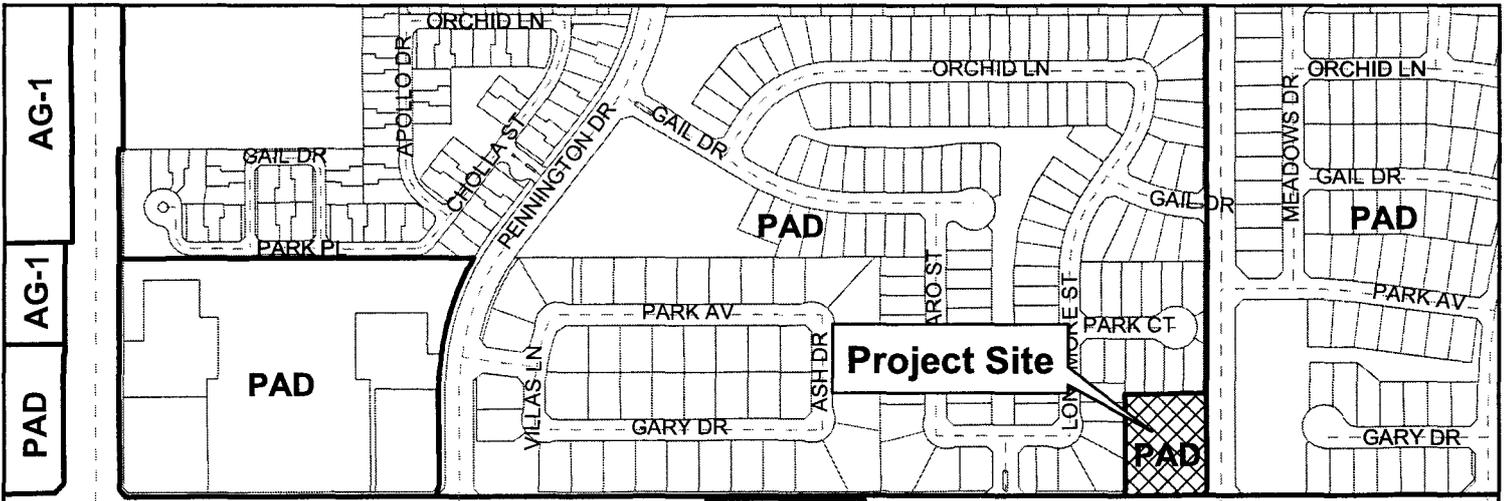
Planning Commission and Staff, upon finding consistency with the General Plan, recommend approval to extend the timing condition for two (2) years, in which the zoning would be in effect until June 2009, with all of the conditions in the original approval remaining in effect.

PROPOSED MOTION

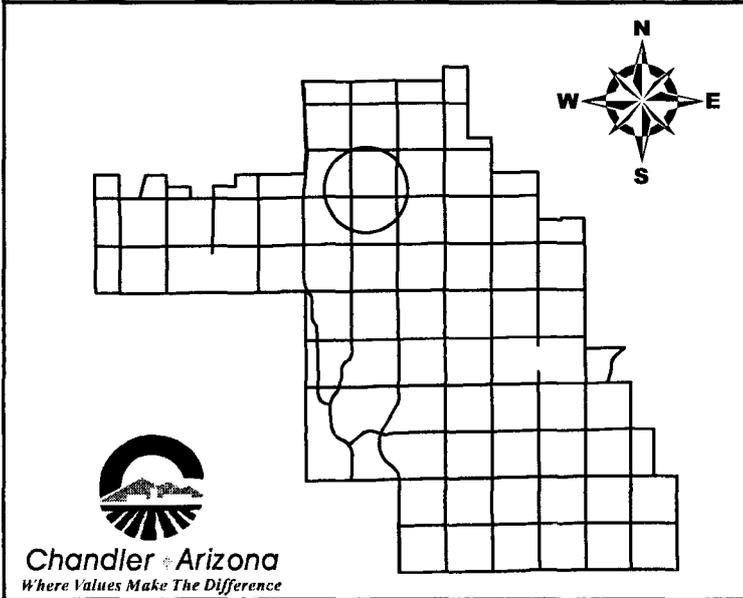
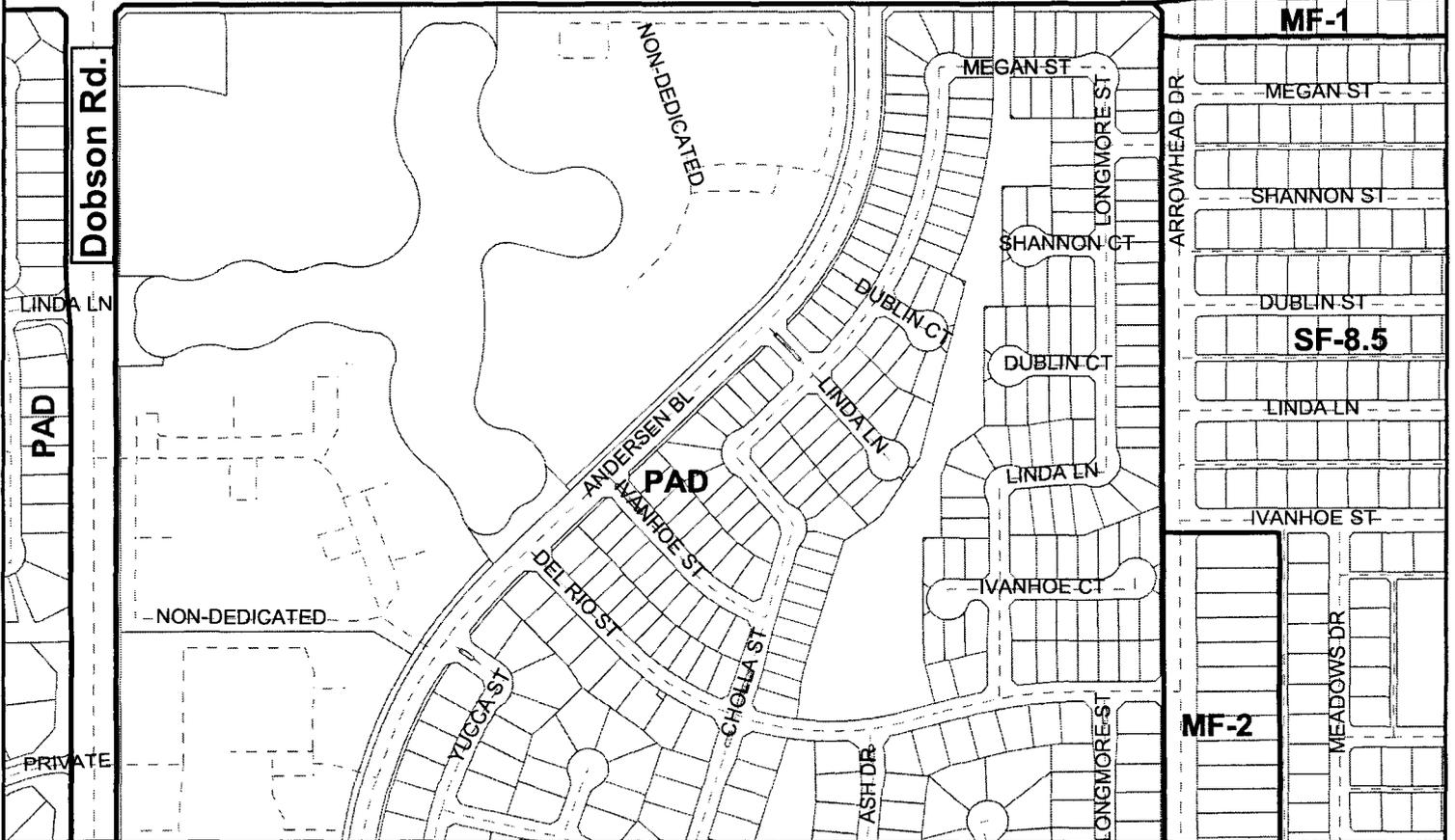
Move to approve the extension of the timing condition for case DVR07-0030 ARROWHEAD PROFESSIONAL OFFICE BUILDING for an additional two (2) years, as recommended by Planning Commission and Staff.

Attachments

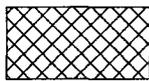
1. Vicinity Maps
2. Approved Site Plan
3. Approved Landscape Plan
4. Approved Building Elevations
5. Zoning Conditions, Ordinance No. 3559
6. Emails from concerned residents
7. Letter from property owner



Ray Rd.



Vicinity Map



DVR07-0030

Arrowhead Professional Office Building



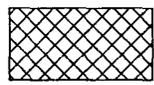
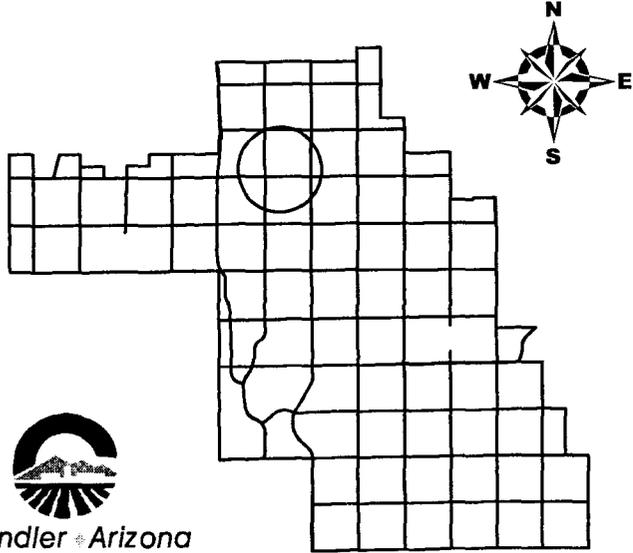


Ray Rd.

Dobson Rd.

Project Site

Vicinity Map



DVR07-0030

**Arrowhead Professional
Office Building**



Chandler Arizona
Where Values Make The Difference

CITY OF CHANDLER 7/5/2007

APPROVED BY
CHANDLER CITY COUNCIL

MAY 13 2004

CITY CLERK'S OFFICE

ARCHITECTUR

BALDINGER STUDIO

1524 E. Caroline Lane
Tempe, AZ 85284 • 3310

WWW.BALDINGER-STUDIO.COM

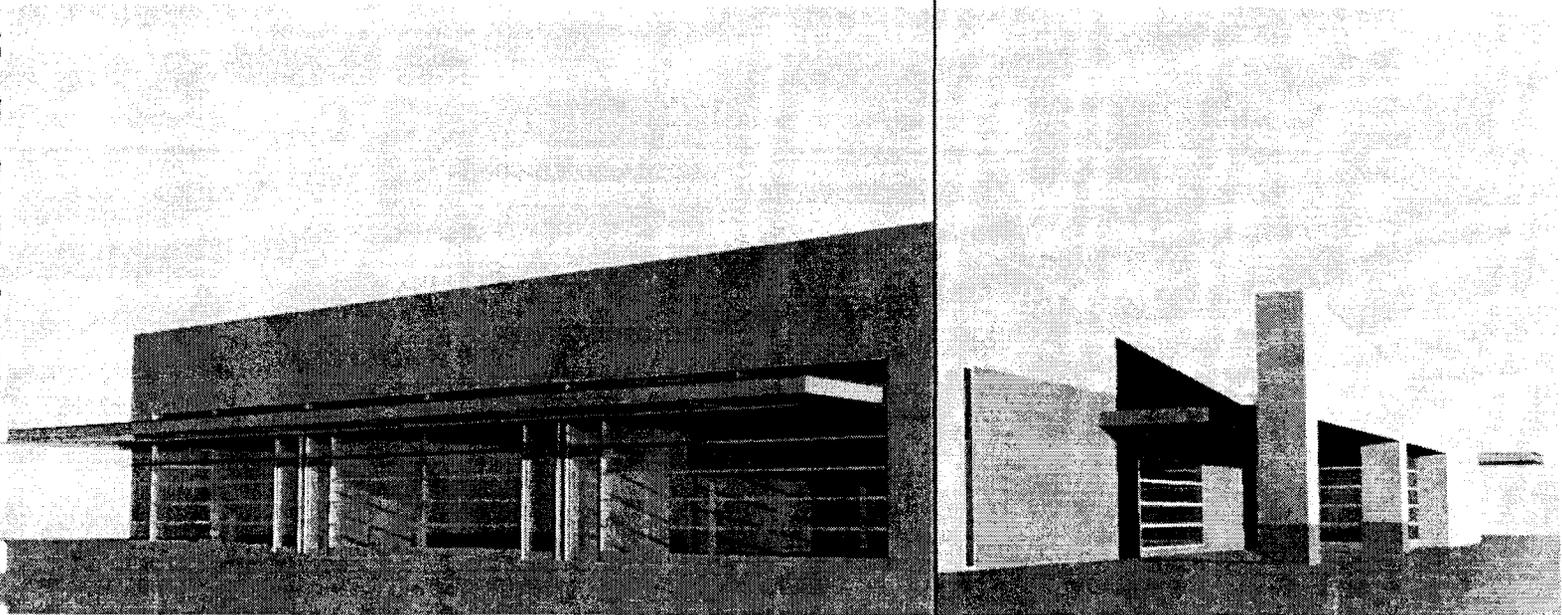
Tel: 480 • 777 7528

Fax: 480 • 839 7746

#10

MAY 13 2004

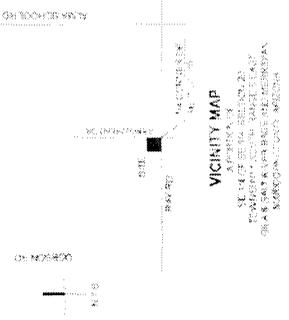
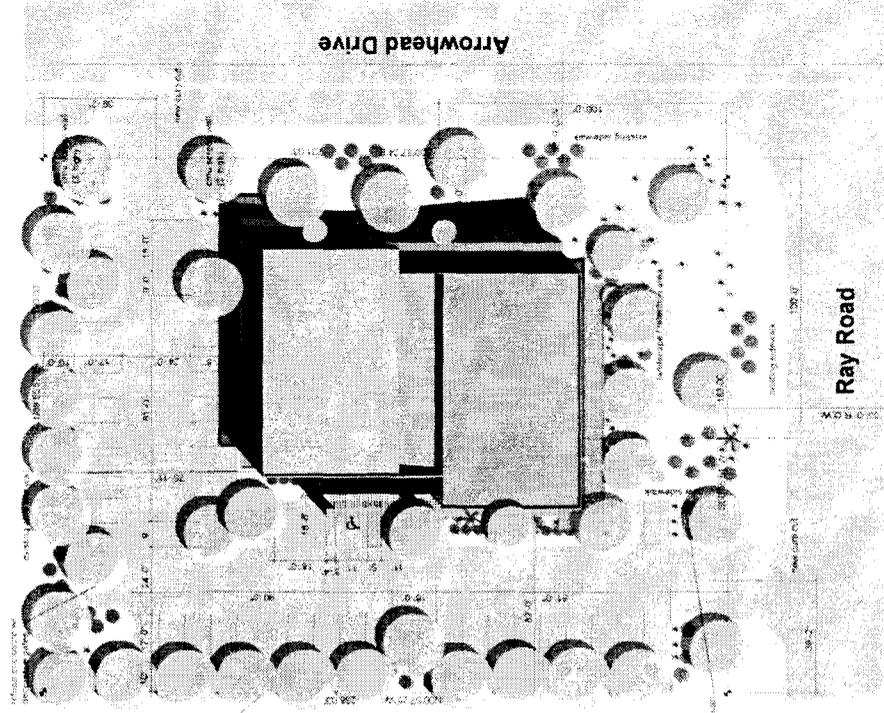
arrowhead professional office building



development booklet



Arrowhead Professional Office Building



ASSIGNED TO: JESSICA L. BROWN
 PROJECT MANAGER: JESSICA L. BROWN
 PROJECT ARCHITECT: JESSICA L. BROWN
 PROJECT ENGINEER: JESSICA L. BROWN
 PROJECT LANDSCAPE ARCHITECT: JESSICA L. BROWN
 PROJECT DATE: 08/16/2004

Arrowhead Professional Office Building

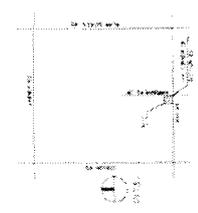
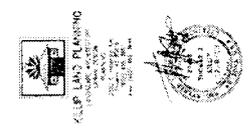
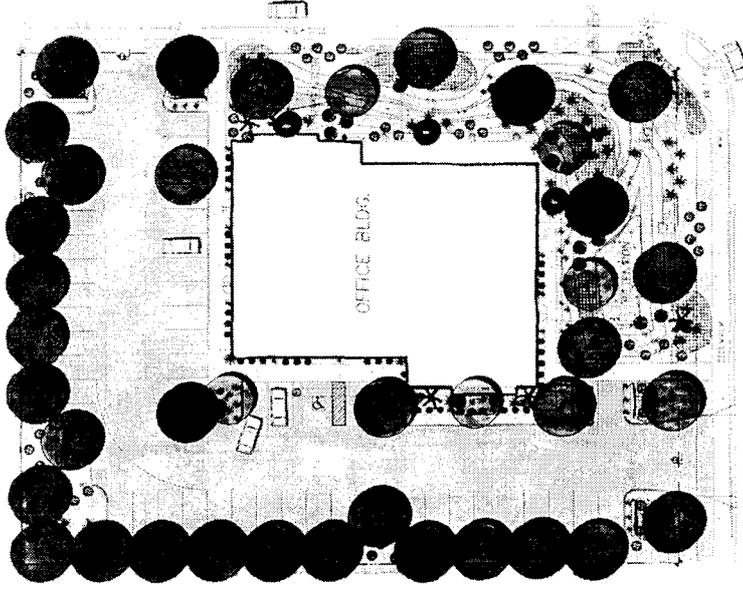
PROJECT NUMBER: D3120
 DATE: 01/16/2004

LANDSCAPED SITE PLAN

A1.0

PLAN PALETTE

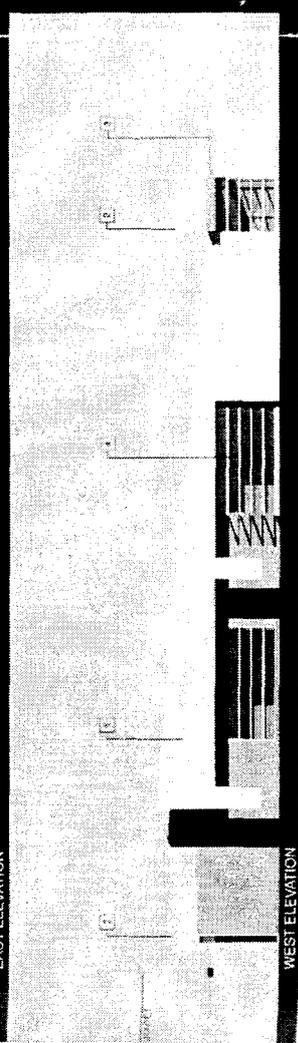
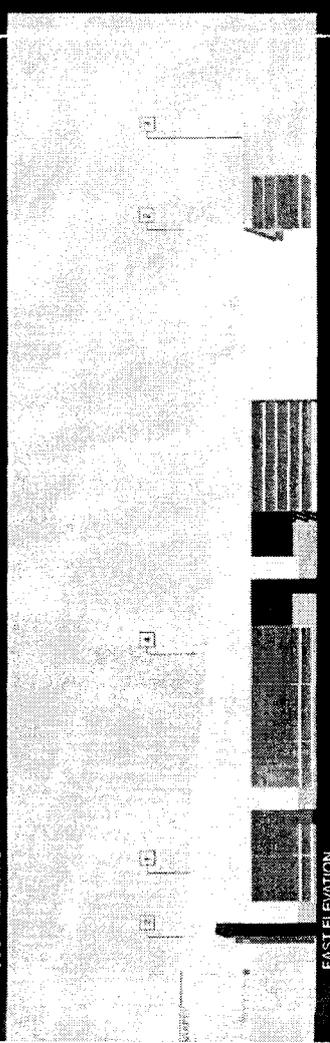
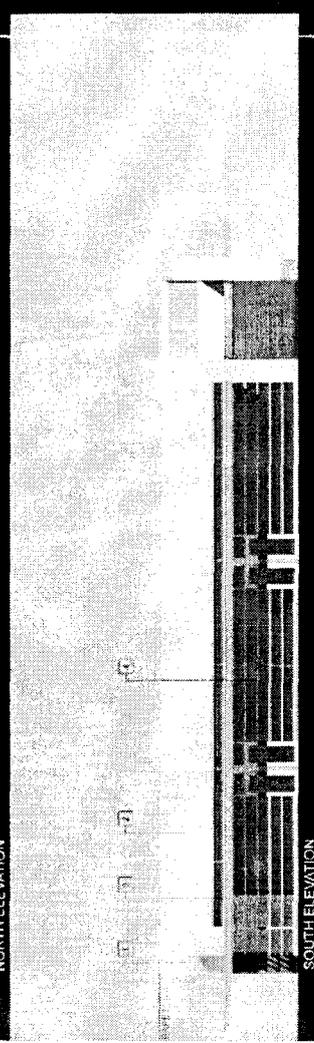
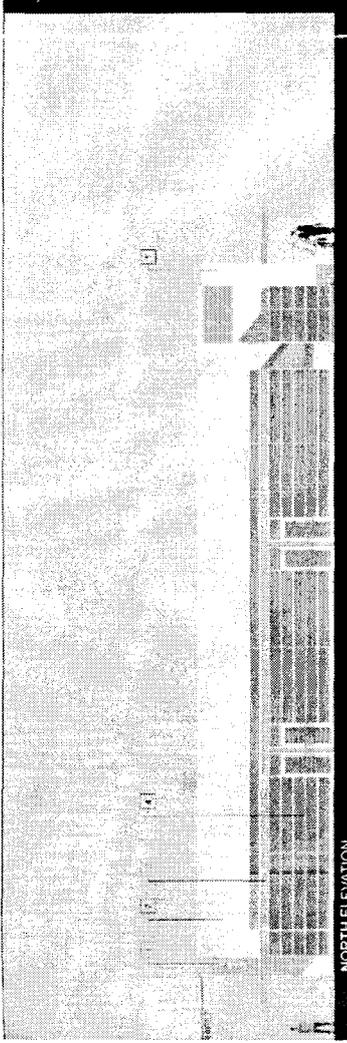
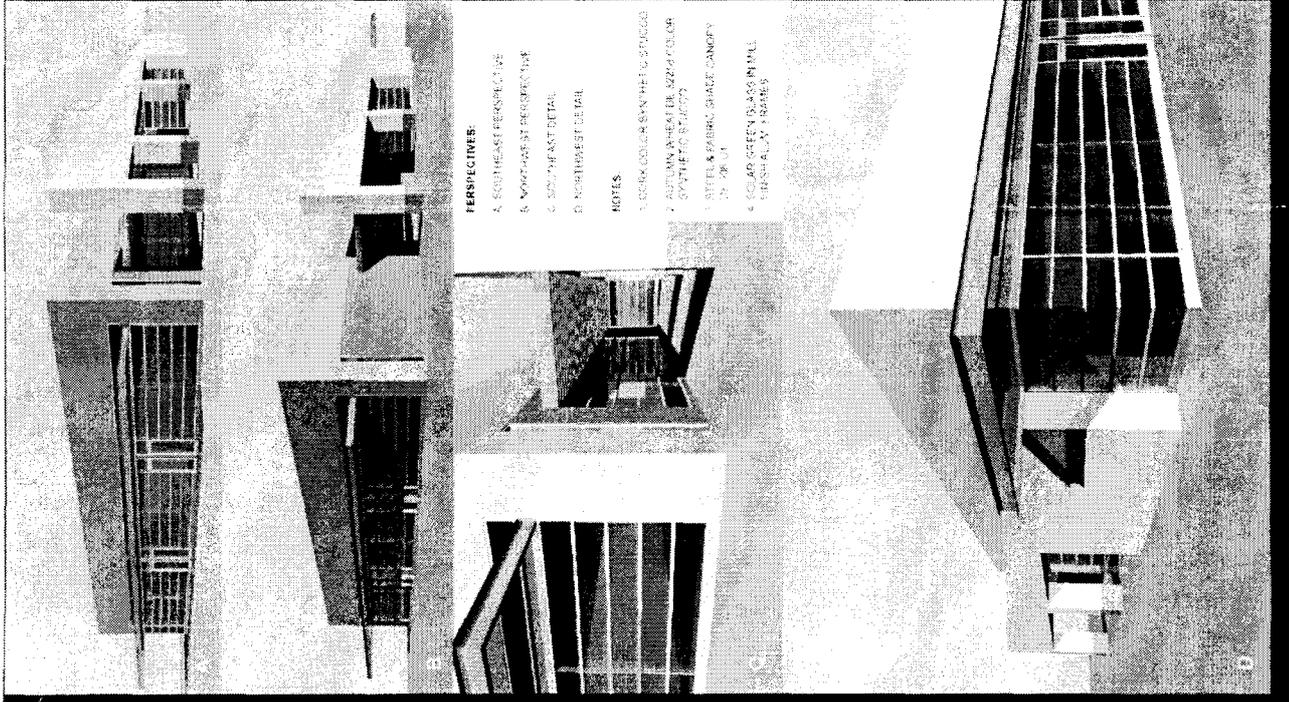
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- 4. 4' x 4' x 10' (10' x 10' x 10')
- 5. 2' x 2' x 10' (10' x 10' x 10')
- 6. 1' x 1' x 10' (10' x 10' x 10')
- 7. 1/2' x 1/2' x 10' (10' x 10' x 10')
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Approved
Professional
Engineer
Baldwin
PHOENIX, ARIZONA

PROJECT NUMBER: 12345
DATE: 10/10/2023
SHEET: 10 OF 10

CLP



**ARROWHEAD
 PROFESSIONAL
 OFFICE BUILDING**

PROJECT NUMBER: 03-010
 DATE: 03-16-2014

RENDERED BUILDING ELEVATIONS

ORDINANCE NO. 3559

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM AGRICULTURAL DISTRICT (AG-1) TO PLANNED AREA DEVELOPMENT (PAD) (DVR03-0045 ARROWHEAD PROFESSIONAL OFFICE BLDG) 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, subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "ARROWHEAD PROFESSIONAL OFFICE BLDG" kept on file in the City of Chandler Current Planning Division, in file number DVR03-0045, except as modified by condition herein.
2. Right-of-way dedications to achieve full half widths for Ray Road and Arrowhead Drive, 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.

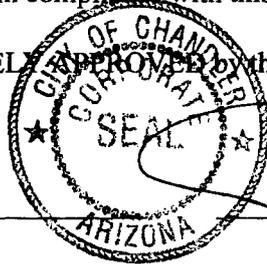
SECTION II. Except where provided, nothing contained herein shall be construed to be and abridgment of any other ordinance of the City of Chandler.

SECTION III. The Planning & Development Department 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 this 13th day of May 2004.

ATTEST:

Maria Padlock
CITY CLERK



[Signature]
MAYOR

PASSED AND ADOPTED by the City Council this 27th day of May 2004.

ATTEST:

Maria Padlock
CITY CLERK



[Signature]
MAYOR

CERTIFICATION

I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 3559 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the 27th day of May 2004, and that a quorum was present thereat.

Maria Padlock
CITY CLERK

APPROVED AS TO FORM:

Dennis M. O'Neill
CITY ATTORNEY

PUBLISHED in the Tribune June 2 & 9, 2004

**LEGAL DESCRIPTION**

TRIAD WEST

To wit—

PARCEL NO. 1:

That part of the Southwest quarter of Section 20, Township 1 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

Commencing the Southeast corner of the said Southwest quarter of Section 20;

Thence $N00^{\circ}34'39''W$, along the East line of the said Southwest quarter of Section 20, a distance of 65.00 feet;

Thence $S89^{\circ}18'53''W$, parallel to and 65.00 feet Northerly from the South line of the said Southwest quarter of Section 20, a distance of 40.00 feet to the POINT OF BEGINNING;

Thence continuing $S89^{\circ}18'53''W$, 183.00 feet;

Thence $N00^{\circ}34'39''W$, 238.03 feet;

Thence $N89^{\circ}18'53''E$, 183.00 feet to a point 40.00 feet Westerly from the East line of the said Southwest quarter of Section 20;

Thence $S00^{\circ}34'39''E$, parallel to the said East line, a distance of 238.03 feet to the POINT OF BEGINNING.

EXCEPT all oil, mineral and gas rights as reserved in Docket 896, Page 55.

PARCEL NO.2:

That part of the Southwest quarter of Section 20, Township 1 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

Commencing the Southeast corner of the said Southwest quarter of Section 20;

Thence $N00^{\circ}34'39''W$, along the East line of the said Southwest quarter of Section 20, a distance of 65.00 feet;

Thence $S89^{\circ}18'53''W$, parallel to the South line of the said Southwest quarter of Section 20, a distance of 40.00 feet to the POINT OF BEGINNING;

Thence $N00^{\circ}34'39''W$, parallel to the said East line a distance of 238.03 feet;

Thence N89°18'53"E, parallel to the said South line a distance of 7.00 feet;^{1 OF 2}

Thence S00°34'39"E, parallel to and 33.00 feet Westerly from the said East line a distance of 231.03 feet;

Thence S44°22'07"W, 9.91 feet to the POINT OF BEGINNING.

EXCEPT all oil, mineral and gas rights as reserved in Docket 896, Page 55.

MAP OF SURVEY

PARCEL #302-81-001C
LOCATED IN

SW1/4, SECTION 20, TOWNSHIP 1 SOUTH,
RANGE 5 EAST OF THE GILA & SALT
RIVER BASE AND MERIDIAN,
MARICOPA COUNTY, ARIZONA

2' #5 REBAR W/
1 1/2" AL CAP
RLS #24532

2' #5 REBAR W/
1 1/2" AL CAP
RLS #24532

N89°18'53"E
183.00'

N00°34'39"W
238.03'

PARCEL 1

231.03'
S00°34'39"E

33'

PARCEL 2

ARROWHEAD DRIVE

2' #5 REBAR W/
1 1/2" AL CAP
RLS #24532

183.00'
S89°18'53"W

'X' ON ELECTRICAL
CABINET PEDESTAL

S44°22'07"W
9.91'

CHISELED 'X' IN
SIDEWALK

RAY ROAD

FD. B.C. FLUSH



Phillip W. Rosendahl



ROSENDAHL & ASSOCIATES, INC.

252 NORTH STAPLEY DRIVE
MESA, ARIZONA 85203

Tel (480) 969-9821
Fax (480) 461-9593

ENGINEERING
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LAND SURVEYING
CONSTRUCTION SURVEYING



Hildie Brooks
<hildiebrooks@yahoo.com>
03/13/2008 01:17 PM

To Angela W <angelaw@triaddevelopment.com>
cc jodie.novak@chandleraz.gov, Ken Brooks
<kenneth.brooks@asu.edu>
bcc

Subject Anticipation dashed

Angela

After leaving phone messages last week and this week, I had hoped to hear from either you or Mr. Collier by now. This morning I had anticipated that your property was going to be cleaned up by a group of workmen when I observed a large number of trucks and workmen arrive at the lot. Instead of working on your property, they started working on the street at Arrowhead and Ray. I was greatly disappointed.

Please let me know if Mr. Collier has made arrangements with a company to remove the tree on the property at Ray and Arrowhead that is causing damage to our fence. I understand from the city planner, Jodie Novak, that this is suppose to be completed as part of the process with renewing the permit. Since we cannot make any arrangements to fix the fence until the tree is removed, I do need to know what time frame Mr. Collier has in mind at this time along with the name of the company he has chosen to work with to complete the job.

I hope that you notice, I am assuming that Mr. Collier does plan to be a responsible neighbor and take care of his property. If I do not hear from either him or you within the next few days, I will feel obliged to begin looking into a more formal process including and up to litigation to resolve the issue of the tree damaging the shared wall between our properties. My choice would be to handle this in the most friendly manner possible however I am not comfortable with the lack of communication from Mr Collier. Any assurance by Mr. Collier that the problem will soon be resolved will be greatly appreciated.

Sincerely,
Hildie Brooks
1541 W. Park Ct.
Chandler, AZ 85224
480-629-5625

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August 1, 2007

To: Mr. Donald Collier

Subj: Proposal for Land Lease
1500 W. Ray Rd.
Chandler, AZ 85224

This proposal is presented for your review and approval or comment by an Andersen Springs homeowner. Your response will be presented to the HOA management for review by the HOA boards.

Since the property has been vacant over 20 years, commercial development of a one acre parcel at this location is unlikely. However, residential development of four single family homes is a possibility with some marketing effort.

Your approval for a land lease is requested which will allow the Andersen Springs HOA or its agents access to the property to maintain and improve the property. This could include removing old foundations, rusted metal pipes, a tree which can conceal a trespasser, clearing weeds and debris, and erecting a post and swag chain barrier around the property. In addition a layer of crushed granite could be added for dust control and possibly some landscaping at the street corner.

In consideration for the land lease, Andersen Springs and Festival/Celebration HOA could compensate you for half of your property tax.

I trust that you can see the advantages of improving the property and reducing your liability. If these terms are acceptable, please request your legal representative to send me a land lease for approval and I will submit for the required signatures. The lease could be in effect on a yearly basis until the land is sold or developed.

Also included is a flyer which could be used by your realtor or others to market this property to residential developers.

I would appreciate a prompt response so we could move forward quickly to improve the appearance and security of the property.

Brian McDaniels
1600 W. Gail Dr.
Chandler, AZ 85224

Phone: 480-917-4908

A.

April 7, 2008

Planning and Zoning Commission
Doug Ballard
Mail Stop 401
PO Box 4008
Chandler, AZ 85244-4008

RE: Arrowhead and Ray Road DVR07-0030

Dear Doug Ballard:

I am respectfully requesting you consider extension approval of application number DVR07-0030 at the next regular meeting. As you probably are aware this property is zoned commercial with an approved site plan from approximately two years ago. As of this date we still do not have a tenant for the property or a purchaser. We have reduced the price substantially in hopes that this action will stimulate a business owner/occupant. We are not requesting a change to the approved site plan or building architecture that we believe is still marketable. It's important for you to know there have been some maintenance concerns raised from the local residents. We are trying to be sensitive to those concerns and have worked with the department of Neighborhood Services to stay in compliance with city ordinances. It is difficult however in this economic environment to continue to do so. In closing we believe an extension of the site plan could only help expedite the development of this site by someone which is really the solution to resolve the concerns of all parties involved. Thank you for your consideration of this matter.

Respectfully,



Don Collier, Property Owner

Cc: Mayor Boyd Dunn
Vice Mayor Lowell Huggins
Councilmember Bob Caccamo
Councilmember Trinity Donovan
Councilmember Kevin Hartke
Councilmember Matt Orlando
Councilmember Martin Speulveda
Michael Flanders
Richard Gulsvig
Angela Creedon
Mike Carson
Kristian Kelly
Leigh Rivers
Mark Irby

RECEIVED
APR 14 2008
Planning & Dev.