

#14
SEP 11 2008



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MEMORANDUM

Planning and Development – CC Memo No. 08-152

DATE: AUGUST 21, 2008

TO: MAYOR AND CITY COUNCIL

THRU: W. MARK PENTZ, CITY MANAGER *WMP*
JEFF KURTZ, ACTING PLANNING & DEVELOPMENT DIRECTOR *JK*
KEVIN MAYO, ACTING PLANNING MANAGER *KM*

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

SUBJECT: DVR08-0018 SOUTH CHANDLER BUSINESS CENTER

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

Location: Northeast corner of Ocotillo Road and the Pinelake Way alignment, one-half mile east of Arizona Avenue on the north side of Ocotillo Road

Applicant: Gene Minchuk

Project Info: Approximately 12 acres for a light industrial park including 17 buildings providing 25 individual tenant spaces; building sizes range from approximately 3,400 to 7,200 square feet for a total building area of 89,000 square feet

RECOMMENDATION

Upon finding the request to be consistent with the General Plan and Chandler Airpark Area Plan, Planning Commission and Staff recommend approval.

EXTENSION OF THE TIMING CONDITION

This application requests a time extension for an approximately 12 acre parcel located at the northeast corner of Ocotillo Road and the Pinelake Way alignment, one-half mile east of Arizona Avenue on the north side of Ocotillo Road. The Planned Area Development (PAD) zoning approval was granted for a period of 3 years, which expired in March 2008. This application requests a three-year time extension. Time extensions are calculated from the previous zoning

approval's expiration in which the zoning would be in effect, pending City Council approval, until March 2011.

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

In February 2005, this 12-acre parcel received PAD zoning with Preliminary Development Plan (PDP) approval for a light industrial park. The industrial park is intended to accommodate small industrial businesses in the start-up stages. Businesses anticipated include building contractors, equipment repair, machine shops, and uses permitted as a matter of right in the Planned Industrial (I-1) zoning district. Uses in the General Industrial (I-2) zoning district are prohibited.

The PDP included site layout and building design approval for an industrial park with various building elevations and varied roof heights. Outdoor storage yards are provided for individual tenants.

The General Plan designates this property as Employment and as a part of the Chandler Airpark Area Plan. The Chandler Airpark Area Plan designates the property as Industrial, and the proposed use is consistent with that designation.

The subject site is surrounded by undeveloped land that is planned for industrial development. Property to the west and north is in the County and zoned RU-43 agricultural. To the east is property zoned PAD for light industrial. South of Ocotillo Road is vacant land planned for Business Park uses as part of the Southshore Area Plan.

This application does not seek to modify the previously approved land use, site or building design, but seeks to extend the timing condition for an additional 3 years. The property owner is exploring their development options and marketing the property. There are no development plans at this time.

If any other alternative design or use is proposed, 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.

Staff is in support of the zoning extension request for an additional three years, which extends the zoning until March 2011. Staff is of the opinion that the industrial land use is still appropriate for this site and in conformance with the General Plan and Airpark Area Plan.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on July 23, 2008. No one attended other than the applicant.
- As of the date of this memo, Staff is not aware of any opposition or concerns with this request.

PLANNING COMMISSION VOTE REPORT

Motion to Approve.

In Favor: 7 Opposed: 0

RECOMMENDED ACTION

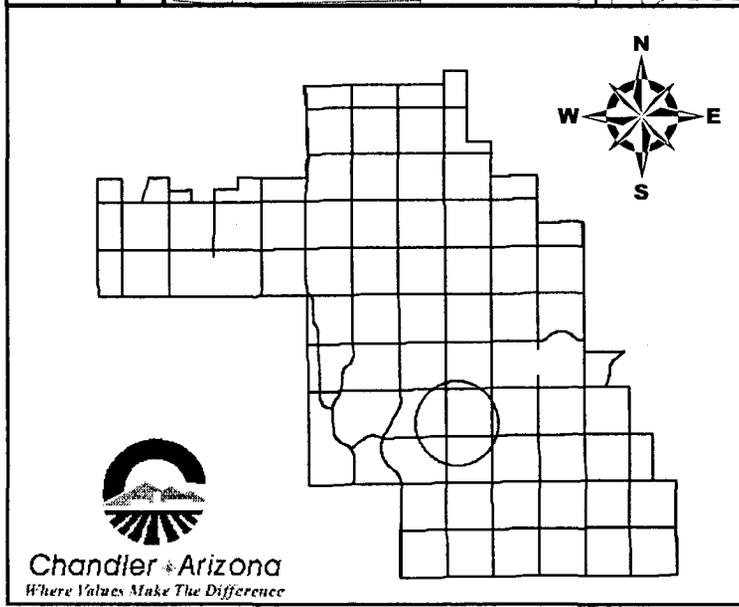
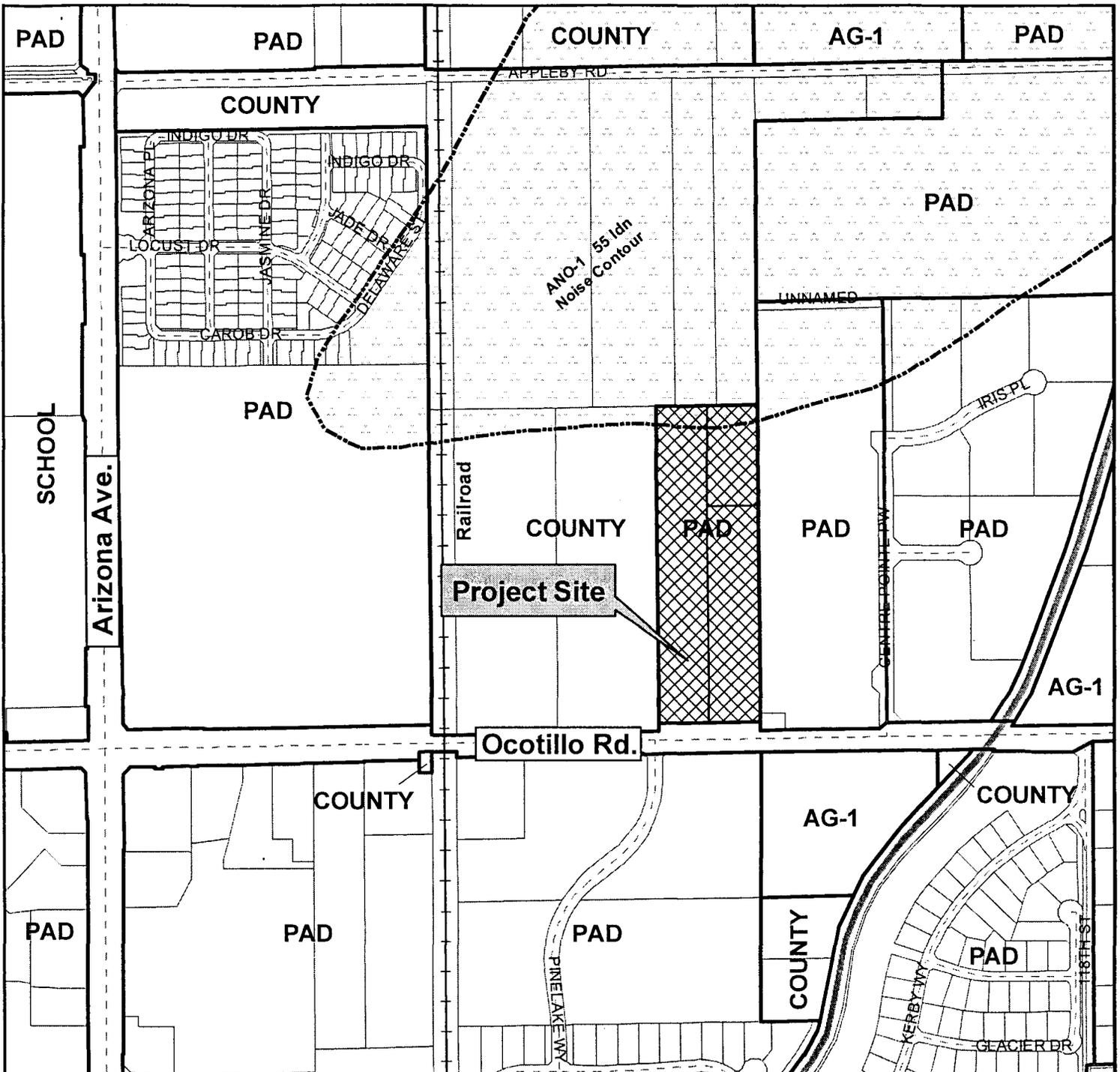
Planning Commission and Staff, upon finding consistency with the General Plan and Airpark Area Plan, recommend approval to extend the timing condition for three (3) years with all of the conditions in the original approval remaining in effect.

PROPOSED MOTION

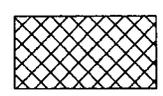
Move to approve the extension of the timing condition for case DVR08-0018 SOUTH CHANDLER BUSINESS CENTER for an additional three (3) years, in which the zoning would be in effect until March 2011, and with all of the conditions in the original approval remaining in effect.

Attachments

1. Vicinity Maps
2. Narrative
3. Site Plan
4. Landscape Plan
5. Building Elevations
6. Ordinance No. 3651

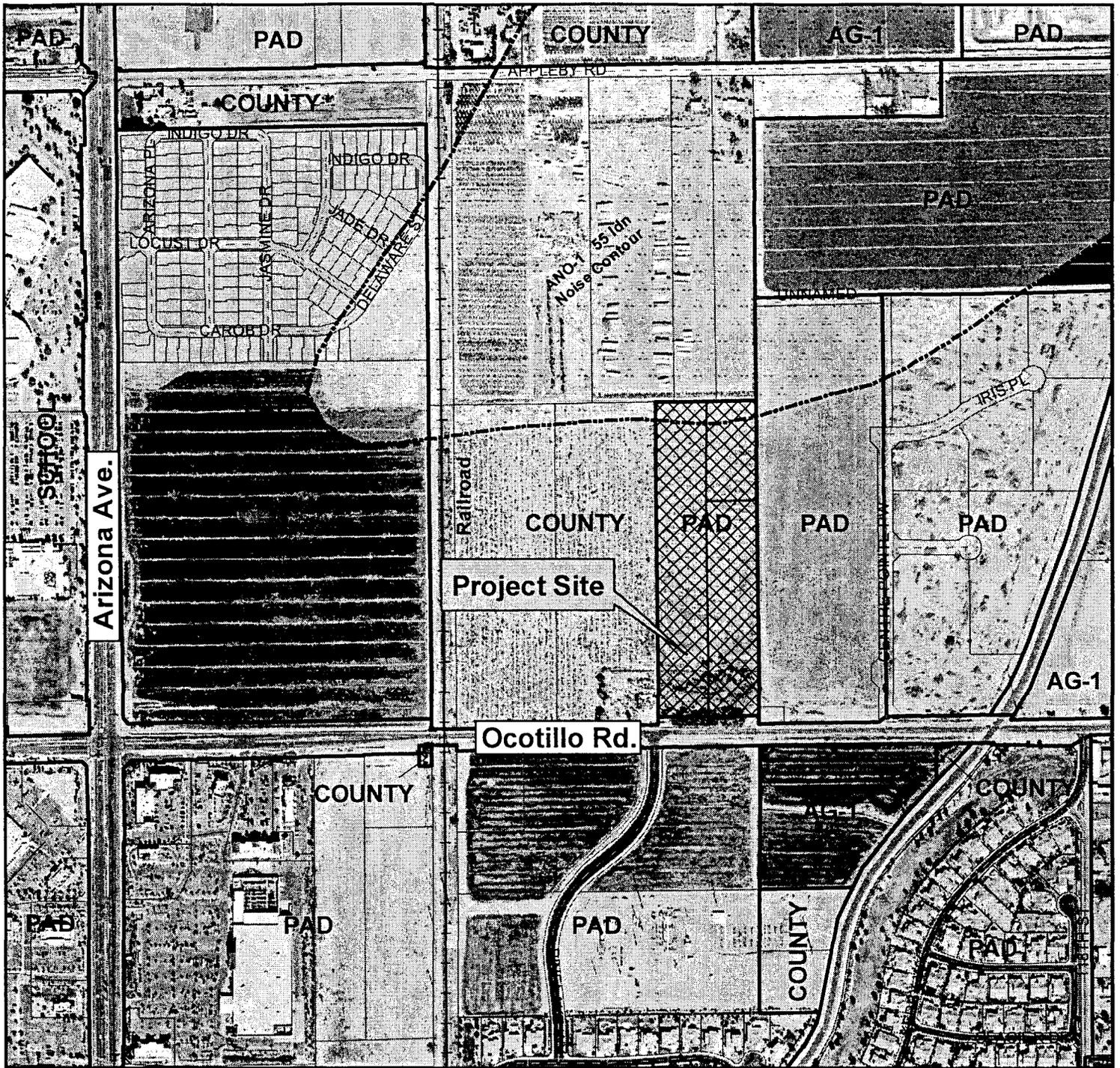


Vicinity Map

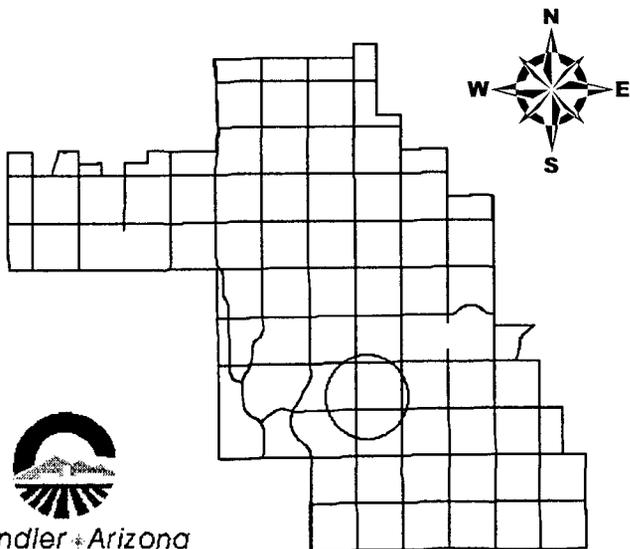


DVR08-0018

South Chandler Business Center



Vicinity Map



DVR08-0018

South Chandler Business Center



Chandler Arizona
Where Values Make The Difference

August 7, 2008

Jodie Novak, MEP
Senior City Planner
215 East Buffalo St.
Chandler, AZ 85225

RE: South Chandler Business Park Zoning Extension

It has come to our attention that the zoning application for the South Chandler Business Park needs to be extended for an additional three years. The South Chandler Business Park was last rezoned three years ago, March 2005. The project is zoned for incubator businesses, those small businesses that will be leasing industrial space and that will therefore move into larger spaces and areas and or in a building of their own. Some proposed uses are building, electrical, plumbing and home improvement, contractors, or some light manufacturing. Also offices, various equipment and supply distributors, welding shops, as well as various wholesaling or distribution facilities. These are basically various I-1 zoning, which will not be offensive to the traffic entering Pinelake Way, that will be the new city street.

The property will be comprised of 17 small leaseable tenant spaces, (89,967 Sq. Ft. of building, which includes 23,760 Sq. Ft. of office space and 65,207 Sq. Ft. of warehouse space) on 511,868 Sq. Ft. (approx. 12 acres) of land providing for 264 total parking spaces and 3 truck loading areas. The previous 3-year zoning approval, for the South Chandler Business Park zoning expired on March 23, 2008.

We are asking the City of Chandler Planning & Zoning Commission & The Chandler City Council to please extend our zoning. We have tried to develop our site, but because of the need for upfront infrastructure costs and the existing economic climate this has made this project difficult to commence.

We are requesting an approval of an additional three years to keep the PAD (Planned Area Development) zoning in place. We feel the land use allowing the South Chandler Business Park with its present zoning is still compatible with the city of Chandler Air Park area plan.

Previously our plan to develop met a number of economic and other hurdles. Mr. Rabago of Rabago Electric, (a residential and electrical contractor) planned to build or use up 12,000 Sq. Ft. in the first phase our project. However, because his staff decreased from 38 employees to one this did not seem likely. In addition, Mr. Minchuk, the other partner, (an industrial broker specializing in leasing) hoped to build a 16,000 Sq. Ft. building for lease, also in the first phase.

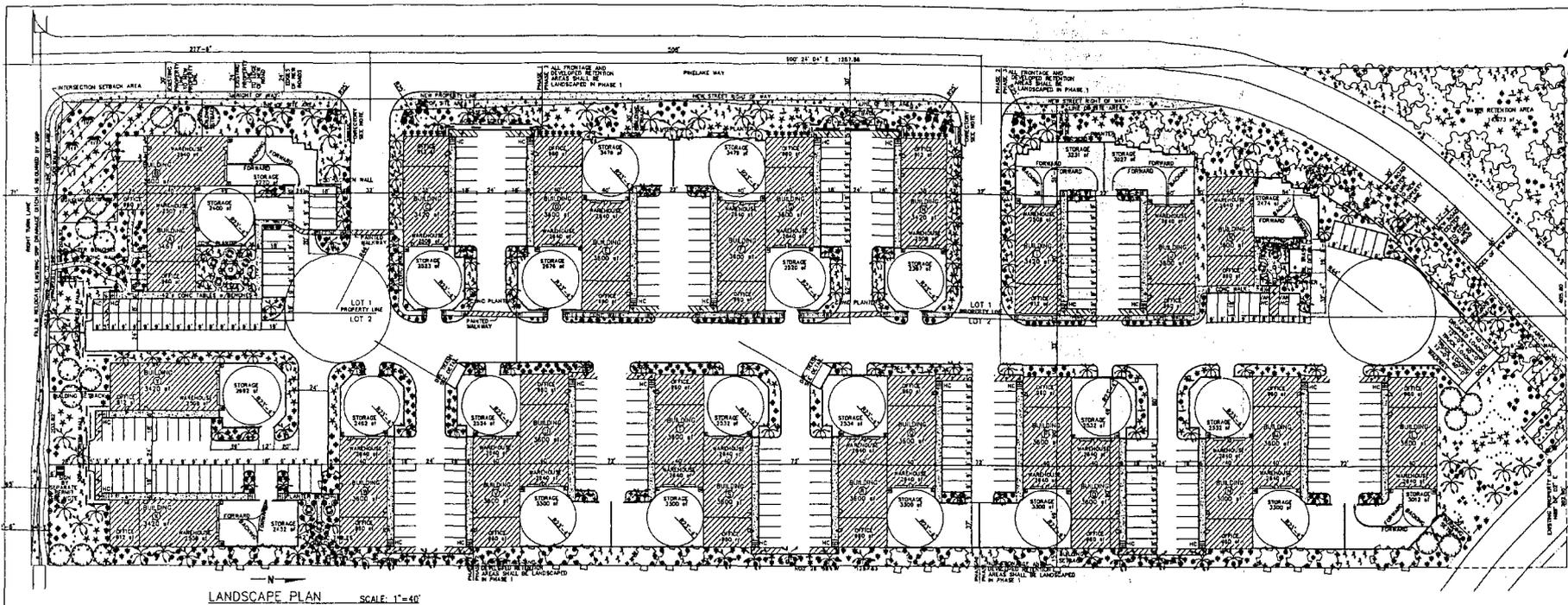
We found that the initial interest was for in industrial /office condo project rather than for the planned lease project, but that seems to have reversed over the last year and interest is increasing for the initial leasing project.

We have also talked to a few potential industrial clients, but most businesses at present time are in very austere mode. Our plans are to develop the site as soon as possible and to step up marketing efforts and to obtain suitable financing as well.

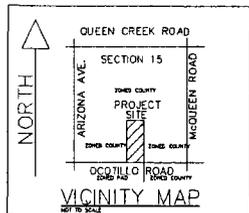
In conclusion, please extend the zoning application for the South Chandler Business Park as soon as possible.

Gene Minchuk
Land Owner/Developer

Jamie Rabago
Land Owner/Developer



LANDSCAPE PLAN SCALE: 1"=40'



POST ADDRESS NUMBERS ON EXTERIOR OF STRUCTURE PER 2003 I.B.C. CODE

STREET FRONTAGE AREAS MUST BE GRATED TO MATCH EXISTING GRADING. ALL PLANT MATERIALS SHALL BE GUARANTEED FOR A MINIMUM PERIOD OF SIXTY (60) DAYS FROM THE DATE OF FINAL APPROVAL BY THE CITY. ANY PLANT MATERIALS WHICH ARE NOT APPROVED BY THE CITY PRIOR TO OCTOBER 1 OF THE CALENDAR YEAR IN WHICH THEY ARE INSTALLED, SHALL BE FURNISHED GUARANTEED UNTIL MAY 30 OF THE FOLLOWING CALENDAR YEAR.

LAND USE CALCULATIONS	
LAND AREA - 11.74 ACRES (511,568 sq ft)	
BUILDING AREA - 84,967 sq ft (17.4% OF LAND AREA)	
OPEN STORAGE AREA - 71,042 sq ft (13.1% OF LAND AREA)	
PAVED ROADS & PARKING - 143,977 sq ft (28.3% OF LAND AREA)	
LANDSCAPE AREA - 229,584 sq ft (50.9% OF LAND AREA)	
SHRUBS/PLANTINGS - 67,554 sq ft (33.8% OF LANDSCAPE AREA)	
GRASS/PAVED AREA - 19,132 sq ft (8.3% OF LANDSCAPE AREA)	
CIRCULAR ROAD COVERAGE - 182,232 sq ft (80.4% OF LANDSCAPE AREA)	
NO TURF	

TREES & SHRUBS				
SYMBOL	SCIENTIFIC NAME	COMMON NAME	COUNT/MIN FT	HEIGHT
○	PARKINSONIA ACULEATA	MEXICAN PALO VERDE	18 25'	30'
✱	ACACIA SMALLII	SWEET ACACIA	179 20'	20'
○	CERCIDIUM FLORIDUM	BLUE PALO VERDE	44 30'	35'
✱	PROSOPIS CHILENSIS	CHILEAN MESQUITE	19 30'	30'
✱	WASHINGTONIA ROBUSTA	MEXICAN FAN PALM	6 20'	100'
✱	PHOENIX DACTYLIFERA	DATE PALM	3 20'	80'
✱	NEROLIUM	OLEANDER	117 5'	4'
✱	AGAVE VILMORINIANA	OCTOPUS AGAVE	207 6'	3'
✱	CORTADERIA	PAMPASS GRASS	28 6'	4'
✱	FOUQUIERIA SPLENDENS	OCOTILLO	16 10'	20'
✱	ENCELIA FERINOSA	BRITTLEBUSH	363 4'	3'
✱	CAESALPINIA MEXICANA	MEXICAN BIRD OF PARADISE	221 8'	12'
✱	SALVIA LEUCOCOPHYLLA	TEXAS SAGE	303 5'	5'
✱	ALOE BARBADENSIS	ALOE VERA	172 3'	2'
✱	JUSTICIA SPICIGERA	MEXICAN HONEYSUCKLE	243 4'	3'

■ GROUND COVER 348
 ● SEASONAL FLOWERS 3 FLATS
 GROUND COVER SHALL BE 3/4" CRUSHED RIVER ROCK SPREAD 2" DEEP.

- NOTES**
- THE REQUIRED BACKFLOW PREVENTION ASSEMBLY SHALL BE A MANUFACTURER AND MODEL DESIGNATED IN THE CURRENT "LIST OF APPROVED BACKFLOW PREVENTION ASSEMBLY" AS PUBLISHED BY THE FOUNDATION FOR CROSS-CONNECTION CONTROL AND HYDRAULIC RESEARCH, UNIVERSITY OF SOUTH CALIFORNIA AND SHALL BE PAINTED TO MATCH BUILDING.
 - MIN 60-DAY LANDSCAPE GUARANTEE PER SEC 180X(6)(3) ZONING CODE.
 - ALL PLANT MATERIALS ARE GUARANTEED FOR A MINIMUM PERIOD OF SIXTY (60) DAYS FROM THE DATE OF FINAL APPROVAL BY THE CITY. ANY PLANT MATERIALS WHICH ARE NOT APPROVED BY THE CITY PRIOR TO OCTOBER 1 OF THE CALENDAR YEAR IN WHICH THEY ARE INSTALLED, SHALL BE FURNISHED GUARANTEED UNTIL MAY 30 OF THE FOLLOWING CALENDAR YEAR.
 - TREES, SHRUBS, WICKS, GRASS COVER AND TURF THAT HAVE TO BE REPLACED UNDER TERMS OF THE GUARANTEE, SHALL BE GUARANTEED FOR AN ADDITIONAL 90 DAYS FROM THE DATE OF REPLACEMENT.
 - ALL PLANT MATERIALS MUST BE MAINTAINED IN HEALTH AND VIGOR AND BE ALLOWED TO ATTAIN NATURAL SIZE AND SHAPE IN ACCORDANCE WITH THE ORIGINALLY APPROVED LANDSCAPE PLAN.
 - ALL LANDSCAPING SHALL BE MAINTAINED BY THE LANDOWNER OR THE LESSOR PER SEC 180X(6)(3) ZONING CODE.
 - TREE HEIGHTS AND CANOPIES WILL COMPLY WITH THE LATEST LAMINATED EDITION OF THE ARIZONA WATERSHED ASSOCIATION RECOMMENDED TREE SPECIFICATIONS PER SEC 180X(6)(3) ZONING CODE.
 - PARKING LOT PLANTER ISLAND TREES SHALL HAVE MIN CLEAR CANOPIES OF 5' HIGH AND ACHIEVE A MATURE CANOPY WIDTH TO TWENTY (20) FEET.
 - ALL TREES AND SHRUBS LOCATED IN THE LINE-OF-SITE WILL BE MAINTAINED FOR A CLEAR AREA BETWEEN 2' AND 8' HIGH.
 - TREE DIMENSIONS THAT EXCEED MINIMUM TREE STANDARDS SHALL BE MINIMUM 10 GALLON SIZE.
 - SIZE OF REQUIRED TREES MUST BE 14" BOLE SIZE OR GREATER, DIB OF REQUIRED SHRUBS MUST BE 15 GALLON SIZE OR GREATER.
 - ALONG EXTERNAL STREET FRONTAGE (CONTROLLED ROAD), 50% OF REQUIRED TREES SHALL BE 24" BOLE SIZE, 25% SHALL BE 14" BOLE SIZE AND 25% SHALL BE 4" POT BOLE SIZE.
 - ALL REQUIRED SHRUBS SHALL BE A MINIMUM OF 2 GALLON SIZE UPON INSTALLATION. GRASS COVER SHALL BE MINIMUM 1 GALLON, AND ANNUALS MINIMUM 4" POTS OR PLANTS.
 - DATE PALM OR FAN PALM TREES IN EXCESS OF FIFTEEN (15) FEET IN TRUNK HEIGHT MAY QUALIFY AS A REQUIRED 14" BOLE OR 4" BOLE PLANTING SIZE.
 - ALL RIGHT-OF-WAY LANDSCAPING TO BE LOW WATER MATERIALS.
 - TREES MUST BE PLACED A MINIMUM OF 5' FROM SIDEWALKS, PUBLIC ACCESSWAYS, SHRUBS MUST BE, AT MATURITY, 3' FROM ALL SIDES OF A FIRE HYDRANT.
 - SIZE ATTACHED CORNER "X" FOR RELEVANT WATER NOTES.
 - FRONT GRASS OF LANDSCAPE AREAS (TOP OF TURF OR S.G.) MUST BE GRATED TO 1 1/2" MASON CONCRETE OR OTHER PAVED SURFACES PER SEC 180X(6)(3) (1) ZONING CODE.

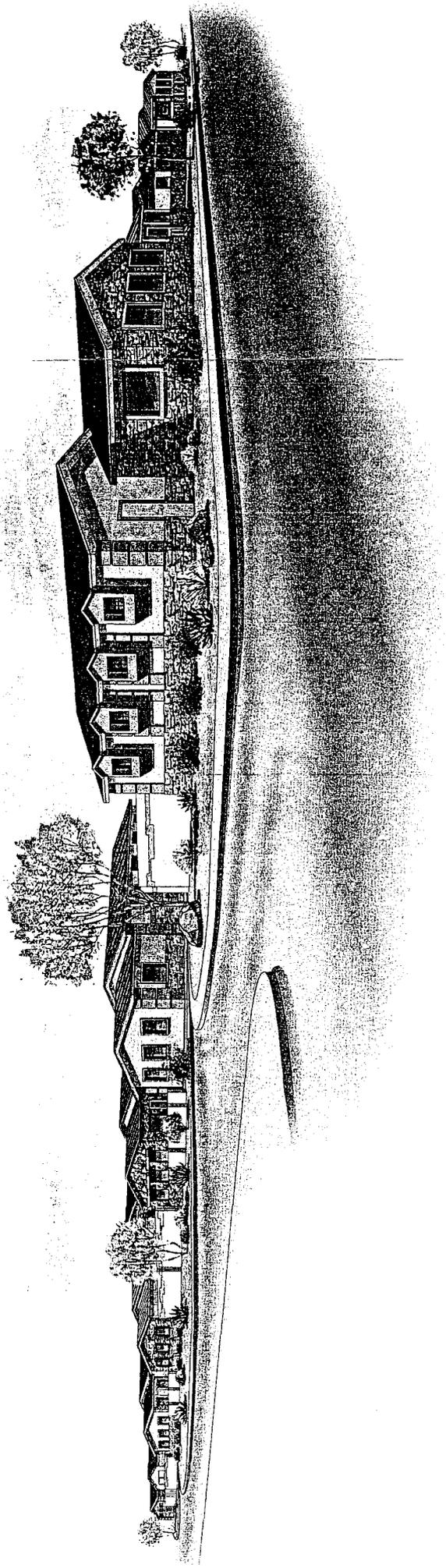


JB COMMERCIAL, LLC
 3045 E. MAIN STREET, SUITE 103
 P.O. BOX 20250, MESA, AZ 85213
 PH: (480) 854-3654 FAX: (480) 854-3657

PROJECT: OFFICE/WAREHOUSE
 LOCATION: SOUTH CHANDLER BUSINESS CENTER
 SHEET CONTENT: LANDSCAPE PLAN

PROJECT NO:
 DRAWN BY: SANDRA
 DATE: 3/23/24
 REVISIONS
 1 3/23/24
 2 11/11/24

PLAN
 SHEET
 L1



ORDINANCE NO. 3651

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM AG-1 – AGRICULTURAL DISTRICT TO PAD – PLANNED AREA DEVELOPMENT DISTRICT (DVR04-0031 SOUTH CHANDLER BUSINESS CENTER) 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:

A portion of the Southeast quarter of the Southwest quarter of Section 15, Township 2 South, Range 5 East of the Gila and Salt River Base and Meridian, records of Maricopa County, Arizona, more particularly described as follows:

Beginning at the South quarter corner of said Section 15;

Thence South 89 degrees 35 minutes 40 seconds West, along the Southerly line of the Southeast quarter of the Southwest quarter of said Section 15, a distance of 407.70 feet to a point from which the Southwest corner of said Section 15, bears South 89 degrees 35 minutes 40 seconds West 2233.00 feet distant therefrom;

Thence North 00 degrees 04 minutes 44 seconds East 1322.84 feet to a point on the Northerly line of said Southeast quarter of the Southwest quarter of Section 15, and from which the Northwest corner of the said South half of the Southwest quarter of Section 15, bears South 89 degrees 35 minutes 57 seconds West 2231.78 feet in distance therefrom;

Thence North 89 degrees 35 minutes 57 seconds East 405.88 feet to the Northeast corner of said Southeast quarter of the Southwest quarter of Section 15;

Thence South (assumed bearing) 1322.78 feet to the Point of Beginning.

And a portion of Section 22, Township 2 South, Range 5 East of the Gila and Salt River Base and Meridian, records of Maricopa County, Arizona, more particularly described as follows:

The North 33 feet of the East 407.70 feet of the Northwest quarter of said Section 22.

Said parcel is hereby zoned PAD (Planned Area Development) subject to the following conditions:

1. 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.
2. 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.
3. The property owner shall maintain the landscaping in all open spaces and rights-of-way as well as all perimeter fences and view walls, excluding rights-of-way medians.
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. All outdoor storage shall be fully screen within the areas designated for enclosed outdoor storage areas and shall not be visible above the walls enclosing the outdoor storage area.
6. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "South Chandler Business Center" kept on

file in the City of Chandler Current Planning Division, in file DVR04-0031, except as modified by condition herein.

7. Right-of-way dedications to achieve half width for Ocotillo Road and Pinelake Way, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
8. Approval by the Director of Planning and Development of plans for landscaping (open spaces and rights-of-way) and perimeter walls and Public Works Director for median landscaping.
9. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual # 4).
10. The developer shall be required to install landscaping in the arterial street median(s) adjoining this project. In the event that the landscaping already exists within such median(s), the developer shall be required to upgrade such landscaping to meet current City standards.
11. Within 30 days of the effective date of the Final Adoption of the rezoning ordinance, the applicant shall post a 4' x 8' sign on the property, conspicuous to the (existing or prospective) single family residences near this site, advising the following: "This property has been zoned for other than single family use. Current information regarding the development potential can be obtained from the City of Chandler Planning Services Division, 782-3000".
12. 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.
13. The source of water that shall be used on the open space, common areas, and landscape tracts shall be reclaimed water (effluent). If reclaimed water is not available at the time of construction, and the total landscapable area is 10 acres in size or greater, these areas will be irrigated and supplied with water, other than surface water from any irrigation district, by the owner of the development through sources consistent with the laws of the State of Arizona and the rules and regulations of the Arizona Department of Water Resources. If the total landscapable area is less than 10 acres in size, the open space common areas, and landscape tracts may be irrigated and supplied with water by or through the use of potable water provided by the City of Chandler or any other source that will not otherwise interfere with, impede, diminish, reduce, limit or otherwise adversely affect the City of Chandler's municipal water service area nor shall such provision of water cause a credit or charge to be made against the City of Chandler's gallons per

capita per day (GPCD) allotment or allocation. However, when the City of Chandler has effluent of sufficient quantity and quality which meets the requirements of the Arizona Department of Environmental Quality for the purposes intended available to the property to support the open space, common areas, and landscape tracts available, Chandler effluent shall be used to irrigate these areas.

14. In the event the owner sells or otherwise transfers the development to another person or entity, the owner will also sell or transfer to the buyer of the development, at the buyer's option, the water rights and permits then applicable to the development. The limitation that the water for the development is to be owner-provided and the restriction provided for in the preceding sentence shall be stated on the final plat governing the development, so as to provide notice to any future owners. The Public Report, Purchase Contracts, and Final Plats shall include a disclosure statement outlining that the development shall use treated effluent to maintain open space, common areas, and landscape tracts.
15. The directory signs will be located within the development, setback at least 50 feet from Pinelake Way.
16. Uses permitted only in the General Industrial (I-2) district shall be prohibited.
17. The applicant shall resubmit to Staff a landscape plan prepared by a Registered Landscape Architect which includes substantial turf along Ocotillo Road and Pinelake Way and features species planted in Chandler on commercial and industrial sites where effluent is available.
18. All landscaping along Ocotillo Road and Pinelake Way shall be designed to commercial design standards.

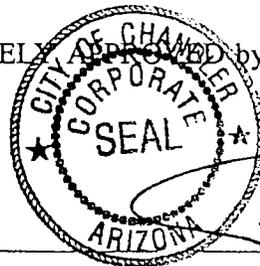
SECTION II. Except where provided, nothing contained herein shall be construed to be and abridgment of any other ordinance of the City of Chandler.

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 27th day of January 2005.

ATTEST:

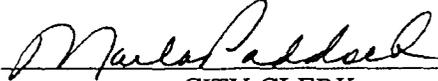

CITY CLERK



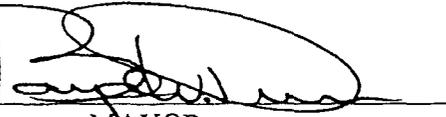

MAYOR

PASSED AND ADOPTED by the City Council on the 24th day of February 2005.

ATTEST:


CITY CLERK



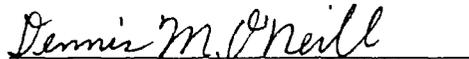

MAYOR

CERTIFICATION

I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 3651 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the 24th day of February 2005, and that a quorum was present thereat.


CITY CLERK

APPROVED AS TO FORM:


CITY ATTORNEY

PUBLISHED in the Tribune on March 2 & 9, 2005