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SEP 25 2008



Chandler • Arizona
Where Values Make The Difference

MEMORANDUM Planning and Development – CC Memo No. 08-173

DATE: SEPTEMBER 4, 2008

TO: MAYOR AND CITY COUNCIL

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

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

SUBJECT: DVR08-0027 SERIOUS INSTALLS & CUSTOMS
 Introduction and Tentative Adoption of Ordinance No. 4099

Request: Zoning amendment to allow an auto accessory and installation business within Planned Industrial District (I-1) with a Planned Area Development (PAD) overlay, I-1/PAD zoning

Location: 3265 N. Nevada Street, east of Arizona Avenue and north of Elliot Road

Applicant: Rick Pettit

RECOMMENDATION

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

BACKGROUND

This application requests to amend the Planned Industrial District (I-1) with a Planned Area Development (PAD) overlay zoning, I-1/PAD, to allow an auto accessory and installation business. The business Serious Installs & Customs specializes in custom vehicle accessories and builds related to automotive performance, diesel performance, bumper-to-bumper enhancements, and accessories.

The subject site is located within the Arizona Corporate Park North (formerly Elliot Commerce Plaza) light-industrial business park. The 230-acre business park was rezoned from Agricultural District (AG-1) to Planned Industrial District (I-1) with a Planned Area Development (PAD)

overlay in 1981. The PAD overlay established the permitted land uses throughout the business park and included I-1 uses, commercial uses, and even multi-family uses at the park's northwest corner. The subject site is located on the east end along the railroad tracks within area designated for I-1 uses. The site has developed with one building, a portion of which is leased by a medical equipment distribution business, Magnum Medical. Serious Installs & Customs is an automotive-type business, which is not permitted in the I-1/PAD zoning without a zoning amendment. There have been prior approvals within this industrial park for other automotive related businesses including a bed liner company and automotive repair.

Serious Installs & Customs works with automobile dealerships providing wholesale services versus retail sales to the public. Custom accessories and builds include lift kits, exhaust upgrades, performance enhancement, custom grilles, bed liners, leveling kits, off-road accessories, wheels and tires, cold air intakes, ground effects, mobile electronics, and the like.

The shop space includes vehicle lifts and various automotive equipment, parts, and accessories storage. All vehicles are serviced within the warehouse space. There is no general mechanical automotive engine repair such as oil changes, brakes, hoses, filters, alignments, and the like occurring with this use. A condition has been added to ensure general mechanical engine repair does not occur. There may be alignment and fluid removal occurring due to accessory parts installation only as the floor plan depicts an alignment and fluid storage area. Staff has advised the applicant general repair is prohibited and the business owner has stated in writing repair will not occur, see attached.

The business is open Monday through Friday from 8 a.m. to 5 p.m. with 3 full-time employees. The business occupies an office area and a warehouse space in this building. Magnum Medical occupies the primary warehouse and office space. The adjoining tenant is open for business Monday through Friday from 8 a.m. to 5 p.m. with 8 employees.

There are approximately 36 parking spaces on-site. Parking is located along the building's front and behind the security roll-gate at the south and east ends. The covered parking spaces on the south side are for Magnum Medical's use only. Parking spaces in front of the building are for either business' use and uncovered parking spaces behind the gate are for either's use too. There is no overnight parking of vehicles being worked on; any vehicles will be stored within the warehouse at night.

DISCUSSION

Staff is of the opinion the proposed automobile accessory and installation business is compatible with the other business on-site and the mix of uses in the industrial park area. The location provides adequate parking for the business.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on August 6, 2008. No area residents or business owners attended.
- As of the date of this memo, Staff is not aware of any opposition or concern with this request.

PLANNING COMMISSION VOTE REPORT

Motion to Approve.

In Favor: 7 Opposed: 0

RECOMMENDED ACTION

Upon finding consistency with the General Plan, Planning Commission and Staff recommend approval of the zoning amendment in case DVR08-0027 SERIOUS INSTALLS & CUSTOMS, subject to the following conditions:

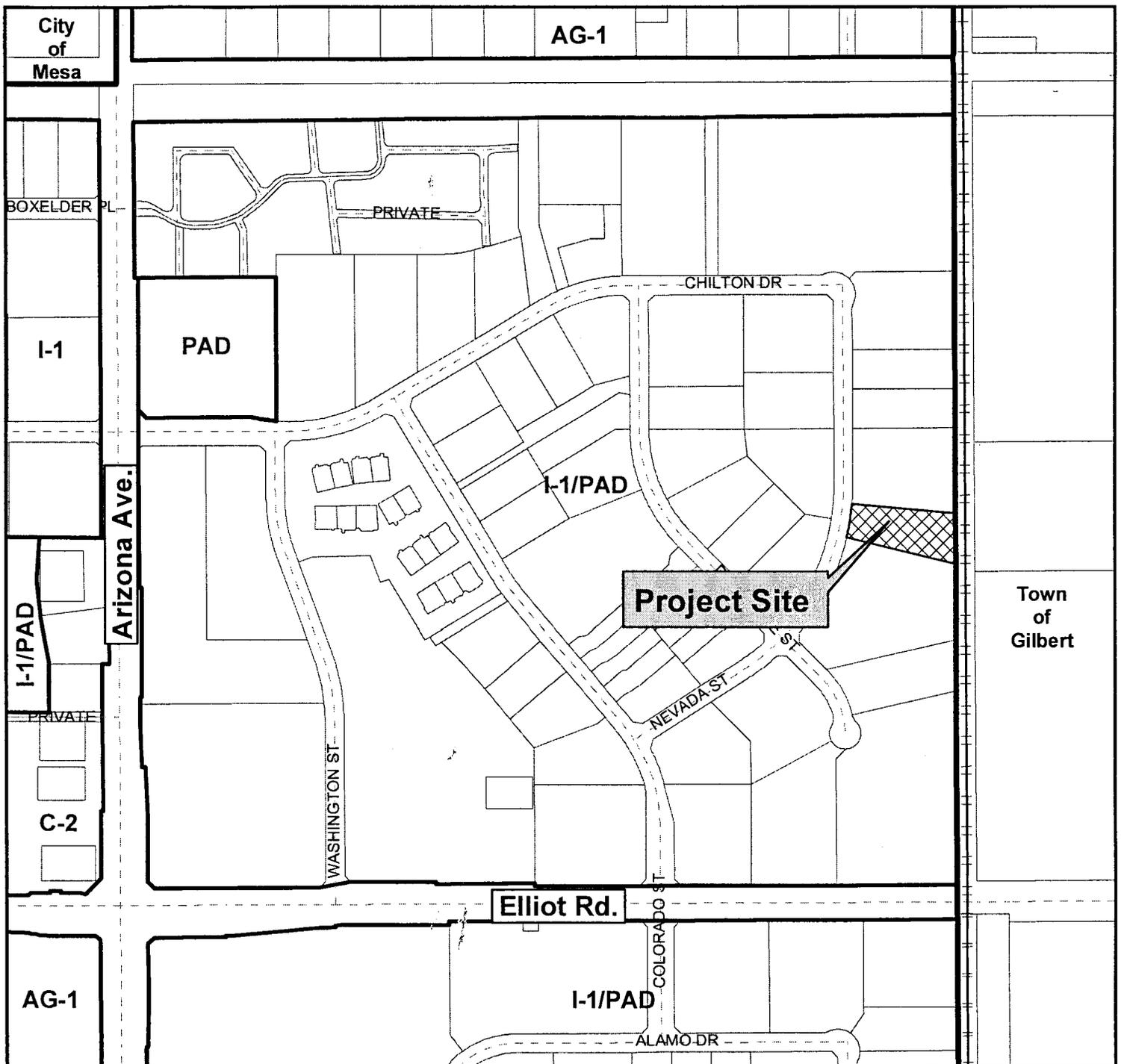
1. Development shall be in substantial conformance with exhibits and representations.
2. Compliance with original stipulations adopted by the City Council as Ordinance No. 1007 in case Z81-69 Costain America, Inc., except as modified by condition herein.
3. Expansion or modification beyond the approved exhibits (Floor Plan, Site Plan, Narrative) shall require reapplication and approval of a PAD zoning amendment.
4. There shall be no general automotive engine repair/auto mechanical work, auto body, auto detailing, or washing of vehicles. There may be alignment and fluid removal occurring due to accessory parts installation only.

PROPOSED MOTION

Move to introduce and tentatively adopt Ordinance No. 4099 approving DVR08-0027 SERIOUS INSTALLS & CUSTOMS, subject to the conditions recommended by Planning Commission and Staff.

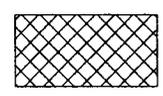
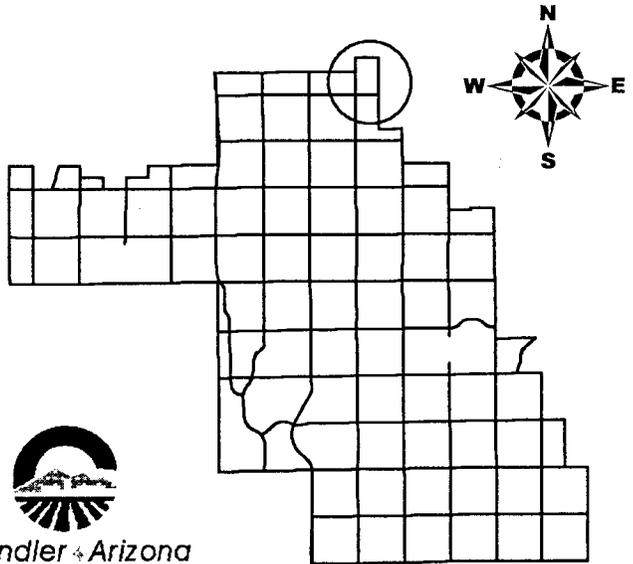
Attachments

1. Vicinity Maps
2. Applicant's Letters
3. Site Plan
4. Entire Building Floor Plan
5. Business Floor Plan
6. Interior Shop Plan
7. Company information
8. Photos
9. Original Ordinance No. 1007
10. Ordinance No. 4099



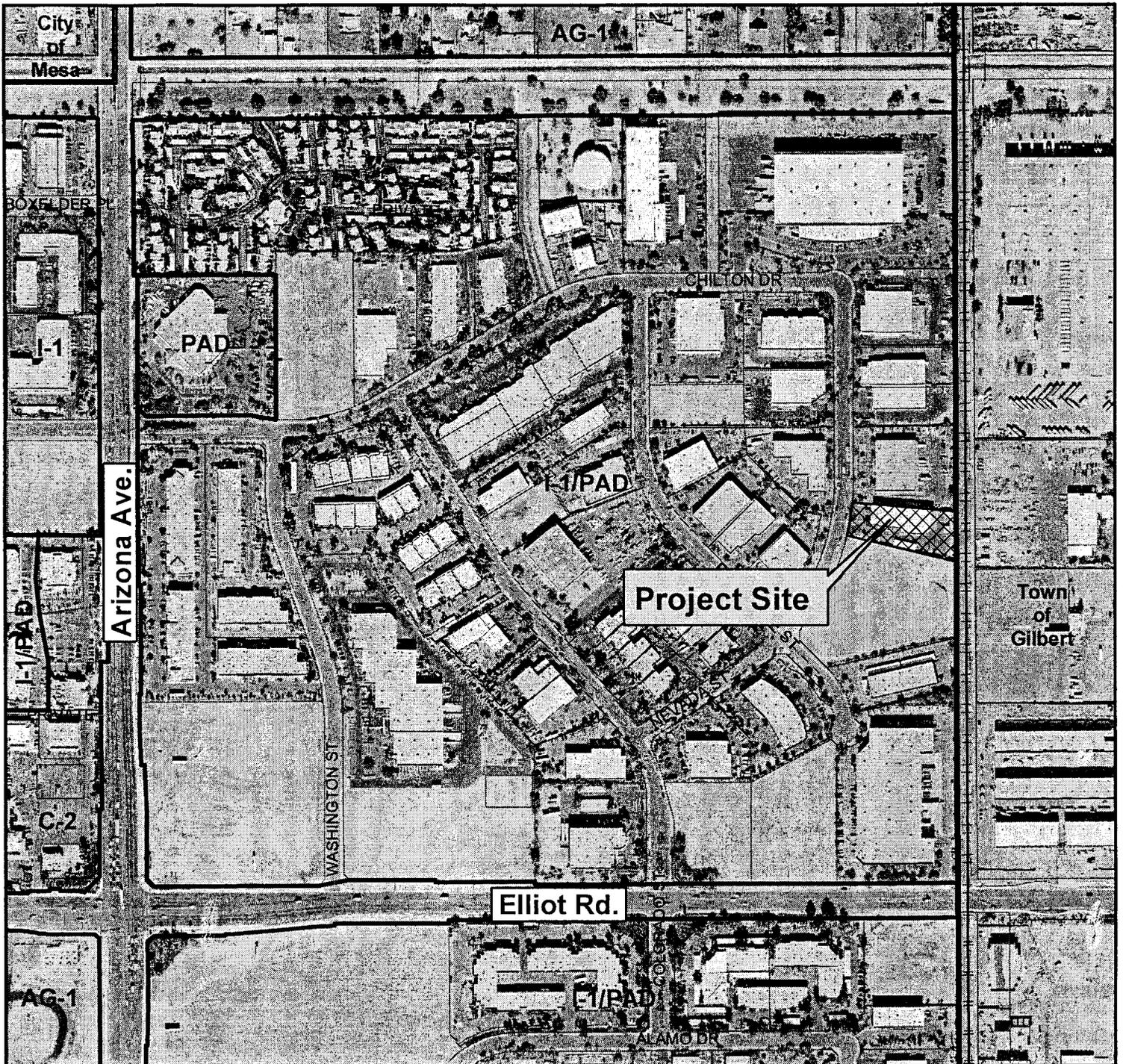
Town of Gilbert

Vicinity Map

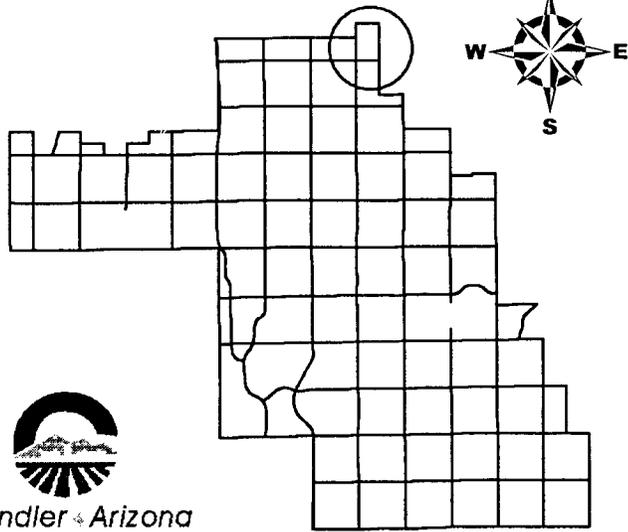


DVR08-0027

Serious Installs and Customs



Vicinity Map



DVR08-0027

Serious Installs and Customs

SERIOUS

INSTALLS & CUSTOMS

This letter is in regards to the re zoning of 3265 N. Nevada Street for Serious Installs and Customs.

Serious Installs and Customs does not typically stock very many parts. Our supplier has a warehouse in town, so availability is very good.

We don't change much as far as fluid because we don't do jobs that require fluid changes. Sometimes we will do an oil change if the job that we are doing requires us to drain fluid, but typically we do not need to. So the volume of fluid changes is very low due to the profile of our installations.

We do have a waste oil and coolant container that is commercial grade material and venting. When this container becomes full, a professional fluid handling company pumps the fluid from our container to their truck for disposal. Most of our old parts are returned with the vehicle so that the owner can dispose. We don't handle tires here, so tire disposal is not a problem either.

Respectfully,



Rick Pettit
Owner

SERIOUS

INSTALLS & CUSTOMS

This letter is in regards to the re zoning of 3265 N. Nevada Street for Serious Installs and Customs.

Serious Installs and Customs is an accessory sales and install company. We have key relationships servicing large auto dealers. We are considered a wholesale company and not a retail company. We are not typically dealing with the retail customer, we are dealing with the auto dealer who sells to the retail customer.

We prefer to be in an industrial area because it is less expensive than retail space.

Respectfully,



Rick Pettit
Owner

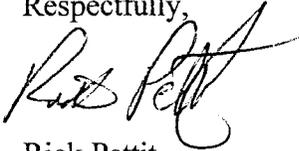
3265 N. Nevada Street, Chandler, AZ 85225
Phone 480-766-3991 Fax 480-393-7339

SERIOUS

INSTALLS & CUSTOMS

This letter is in regards to the re-zoning permit request for Serious Installs & Customs. Serious Installs & Customs does not do any overnight outside parking and will not in the future.

Respectfully,



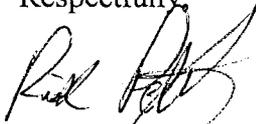
Rick Pettit
Owner

SERIOUS

INSTALLS & CUSTOMS

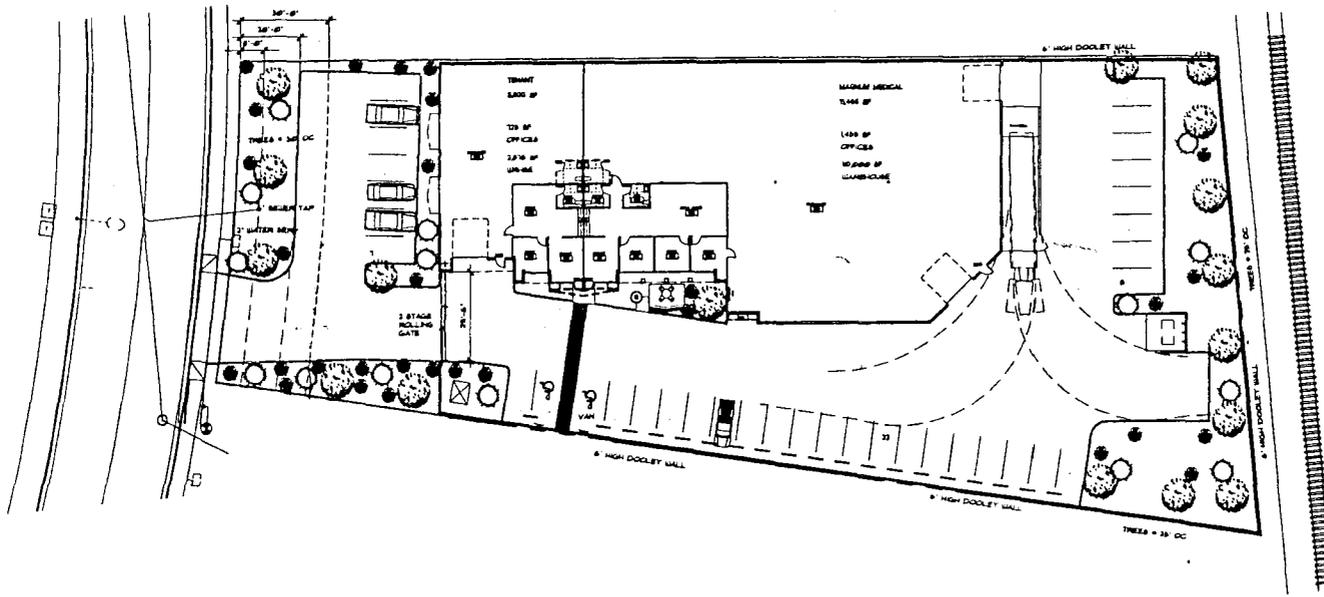
This letter is in regards to the re-zoning permit request for Serious Installs & Customs. We realize that the repair portion of our business is not allowed at this location. We only committed to repair jobs for friends and family, but we will not longer take these requests.

Respectfully,



Rick Pettit
Owner

Site Plan



SITE PLAN

T = 20.0'



THE ARCHITECTURAL DESIGN CONCEPTION AND DATA PRESENTED HEREIN REPRESENTS AN INSTRUMENT OF SERVICE PROVIDED IN CONNECTION WITH THE DESIGN-BUILD PHASED DEVELOPMENT AGREEMENT FOR THE EXCLUSIVE USE OF THE LGE CORPORATION AND OTHER USE OR RELEASE OF THESE DRAWINGS MAY RESULT IN CIVIL DAMAGES.

A NEW BUILDING
PROJECT BY

LGE

MAGNUM MEDICAL

PROJECT DATA

PROJECT	MAGNUM MEDICAL
ADDRESS	NEVADA STREET CHANDLER, ARIZONA
DEVELOPER	LGE TEMPE, ARIZONA
SCOPE	A NEW TURN KEY BUILD TO SUIT BUILDING
LEGAL DESCRIPTION	LOT 84 ARIZONA CORPORATE PARK NORTH
ZONING	B-1
SITE AREA	48,96 SF (1.05 AC)
BUILDING AREA	30,864 SF
LOT COVERAGE	33 %
OCCUPANCY	B
CONSTRUCTION TYPE	10 M. AREA
ALLOWABLE AREA	0.000 X 3 - 36,000 SF
CLEAR HEIGHT	14'-0"
BUILDING HEIGHT	37'-0"
REQUIRED PARKING	OFFICE 1,200 GEP / 300 - 18 STORAGE 12,000 SF / 3,000 - 36 TOTAL REQUIRED 36 PROVIDED ON SITE 31



4144 North
44th Street
Suite D
Phoenix, Arizona
85016
(602) 958-6379



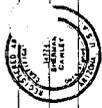
MAGNUM
MEDICAL

NEVADA
STREET

CHA
ARIZONA

LGE
DESIGN BUILD
1724 W. 4TH ST
TEMPE, ARIZONA
(602) 666-4007

THE ARCHITECTURAL DESIGN AND DATA PRESENTED IN THESE DOCUMENTS IS AN INSTRUMENT OF SERVICE PROVIDED BY CAWLEY ARCHITECTS TO LGE CORPORATION IN CONNECTION WITH A DESIGN / BUILD CONSTRUCTION CONTRACT. ALL DISCREPANCIES FOUND IN THESE DOCUMENTS OR CONFLICTS BETWEEN THESE DOCUMENTS AND ACTUAL FIELD CONDITIONS SHALL BE REPORTED TO CAWLEY ARCHITECTS FOR RESOLUTION PRIOR TO COMMENCEMENT OF THE WORK. DISCREPANCIES BETWEEN AID AND AIDANTS PRESENTED TO LGE CORPORATION AND THESE DOCUMENTS SHALL BE REPORTED TO LGE, PRIOR TO COMMENCEMENT OF THE WORK.



MAGNUM
MEDICAL

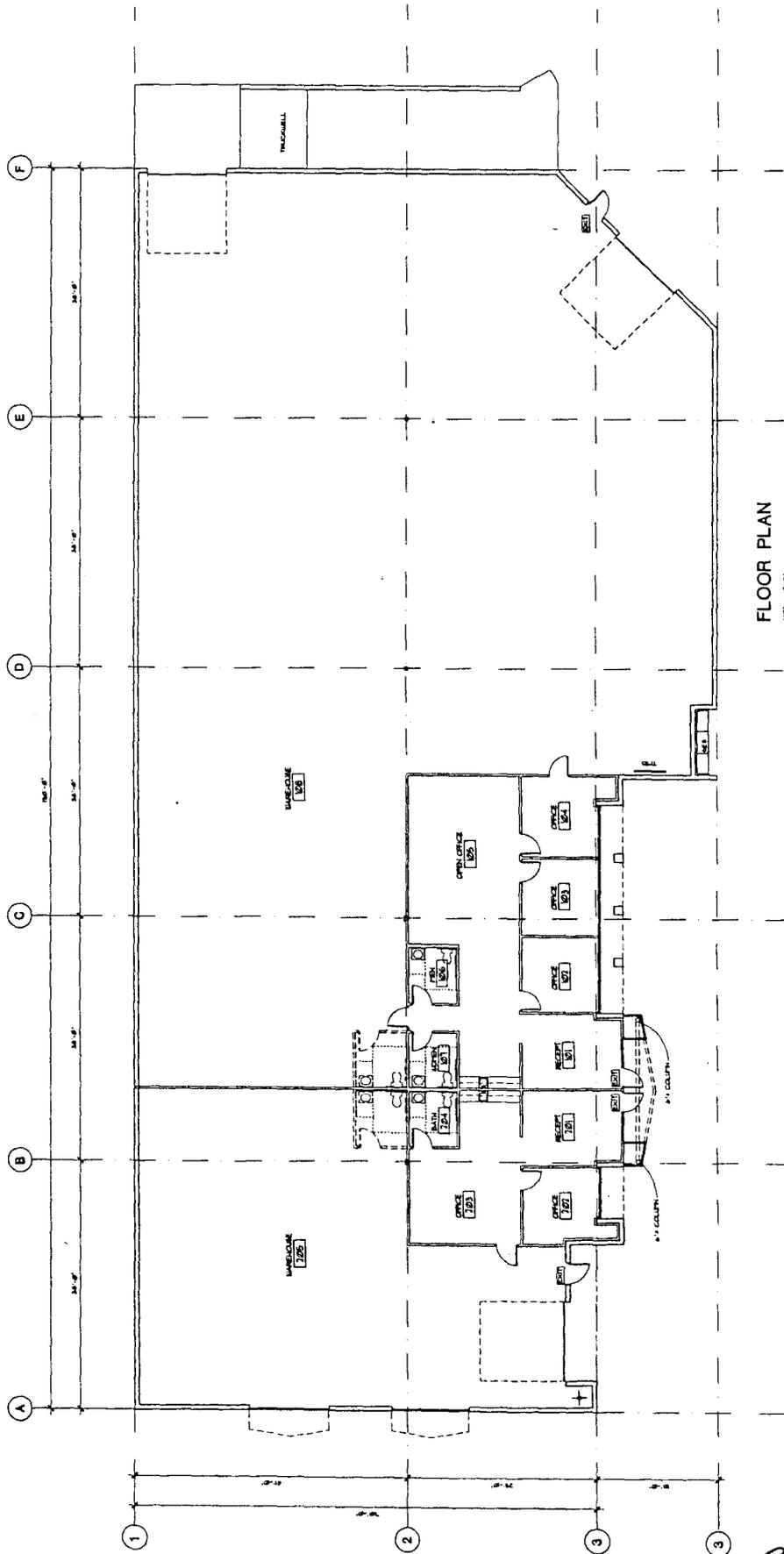
NEVADA
STREET

CHANDLER
ARIZON

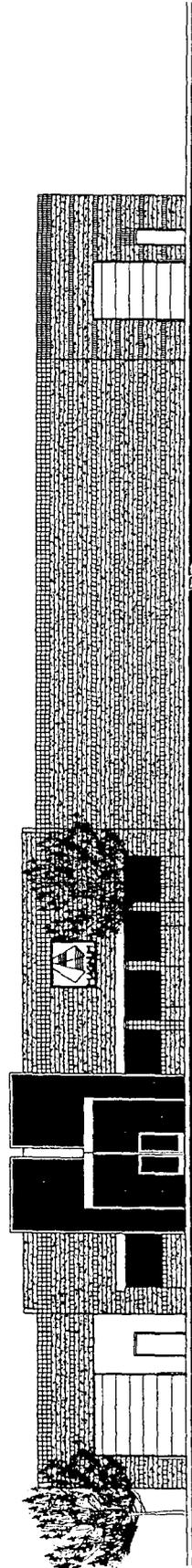
1-2-08

LGE

DESIGN BUILD
1751 W. 17TH STREET
TEMPE, ARIZONA
(602) 966-4001



FLOOR PLAN
1/8" = 1'-0"

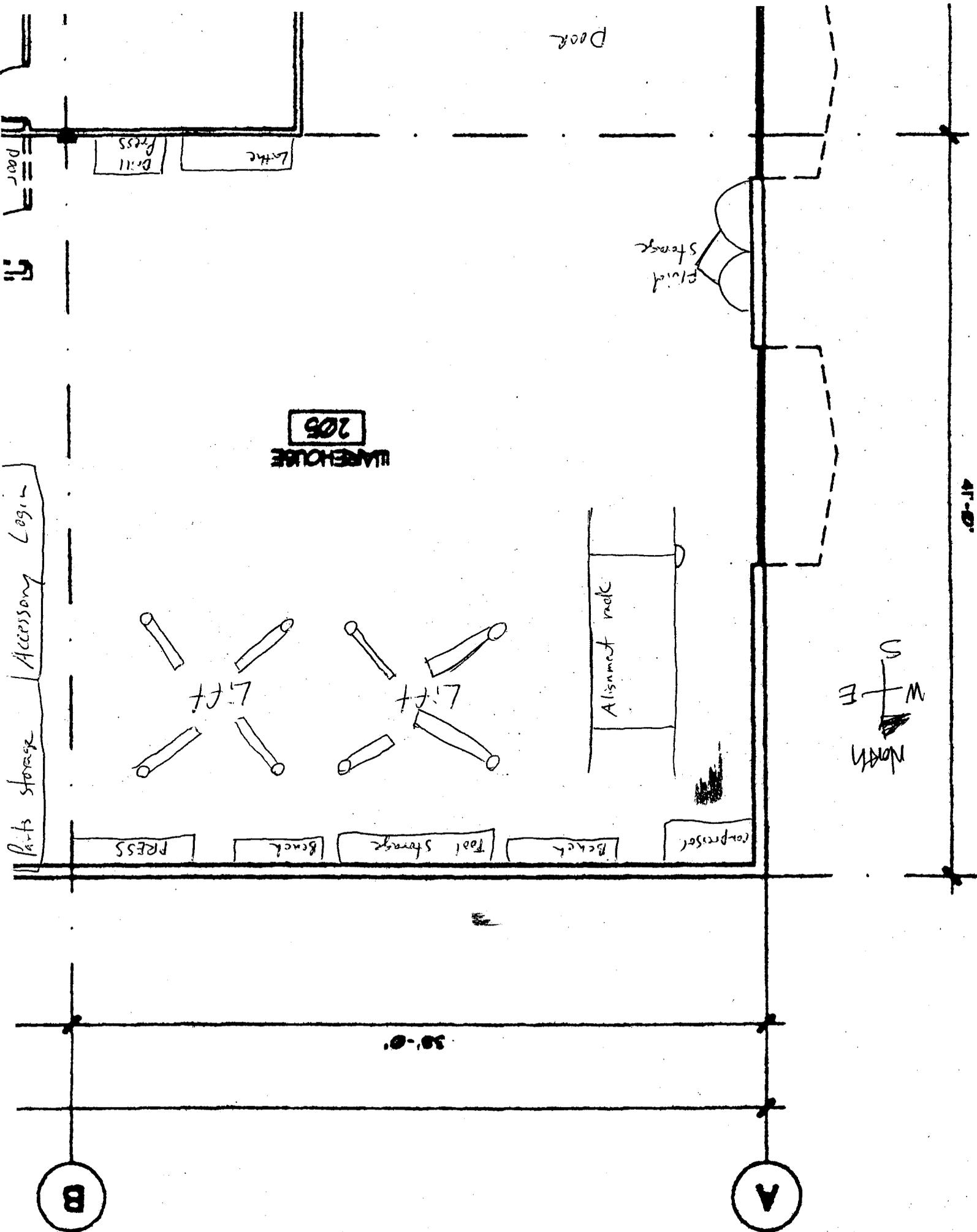


SOUTH ELEVATION
1/8" = 1'-0"

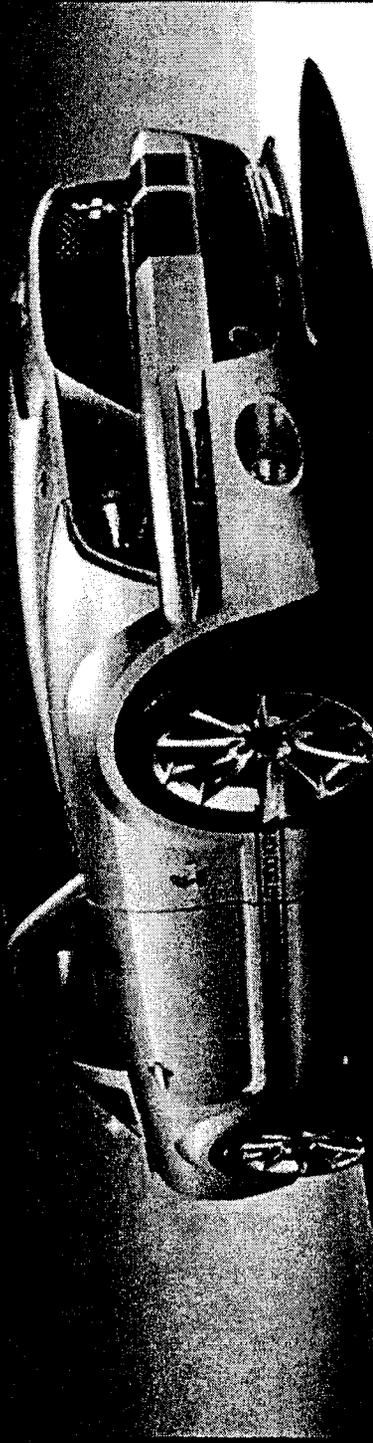
entire building floor plan

THE ARCHITECTURAL DESIGN AND DATA PRESENTED IN THESE DOCUMENTS IS AN INSTRUMENT OF SERVICE UNDER A PROFESSIONAL CONTRACT. ALL INFORMATION IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED IN THE CONTRACT. ANY REUSE, REPRODUCTION, OR DISTRIBUTION OF THESE DOCUMENTS FOR ANY OTHER PROJECT WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT IS STRICTLY PROHIBITED. THE ARCHITECT ASSUMES NO LIABILITY FOR CONSEQUENCES OF THE WORK OR DESIGN AND IS NOT RESPONSIBLE FOR ANY ERRORS, OMISSIONS, OR INADEQUACIES IN THESE DOCUMENTS. THESE DOCUMENTS SHALL BE RETURNED TO THE ARCHITECT UPON COMPLETION OF THE PROJECT.

Weld Shop Plan



SERIOUS



REGOUT US

SERVICES

OUR SHOP

EXHIBIT GALLERY

CONTACTS

COMPANY PROFILE



Serious, Installs and Customs is an automotive specialty sales and install company. We provide services on quality products and a world class reputation. Our technicians are *Master Certified* and pay close attention to detail. Our support staff is professionally trained, polite and goes the extra mile to ensure a standard is set for our customers.

CUSTOMER SERVICE

We give our customers what they want and what they need. Quality products, competitive pricing and world class service. Our Master Certified technicians have combined over 50 years experience in the automotive industry.

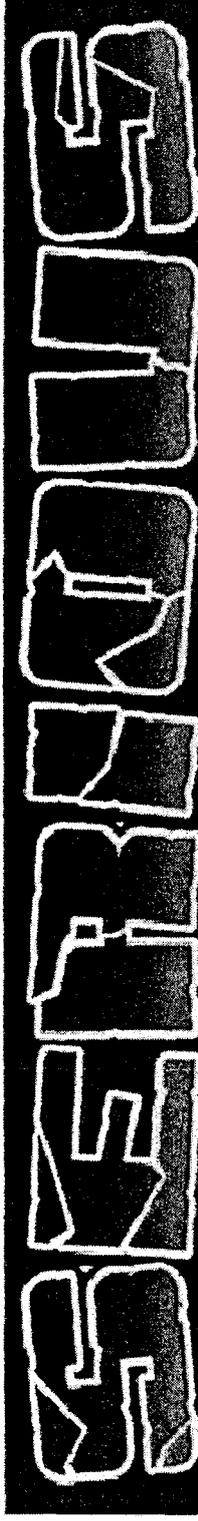
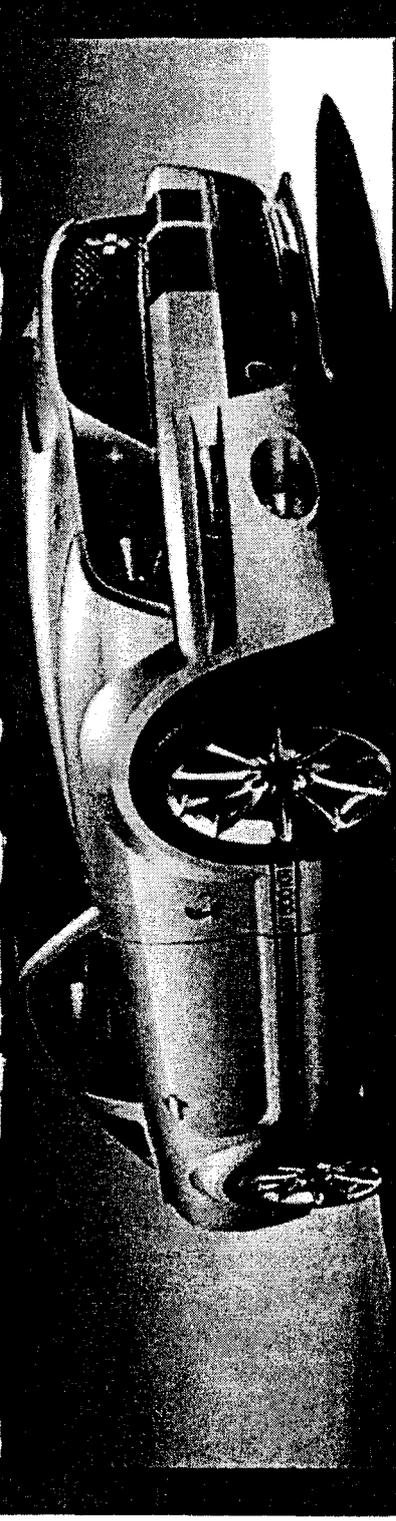
WHY US

We LOVE what we do and it shows in our work. Our staff is professional and we take customer service to a new level.

WHAT WE OFFER

- Automotive Performance
- Diesel Performance
- Bumper To Bumper Accessories



ABOUT US CONTACT OUR SHOP SERVICE GALLERY CONTRACTS

SERVICES LIST

SERIOUS INSTALLS & CUSTOMS

- Custom Wheels & Tires
- Exhaust upgrades
- Cold Air Intakes
- Off-Road Accessories
- Bed Liners

SERVICES OVERVIEW

Service Lift Kit



Service Performance



SERIOUS

ABOUT US SERVICES SERIOUS GALLERY CONTACT CONTACT

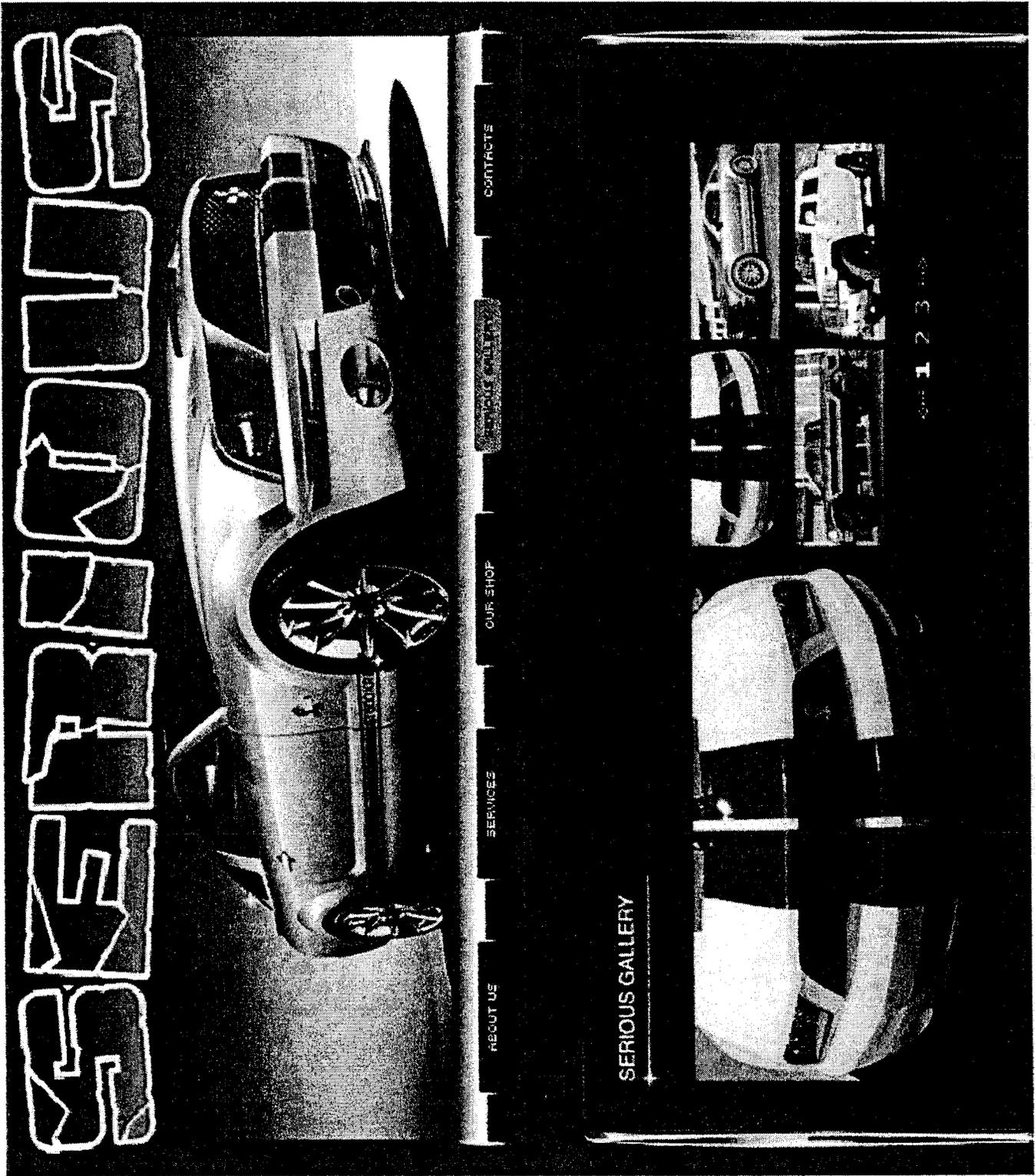
SERIOUS SHOP

FEATURED

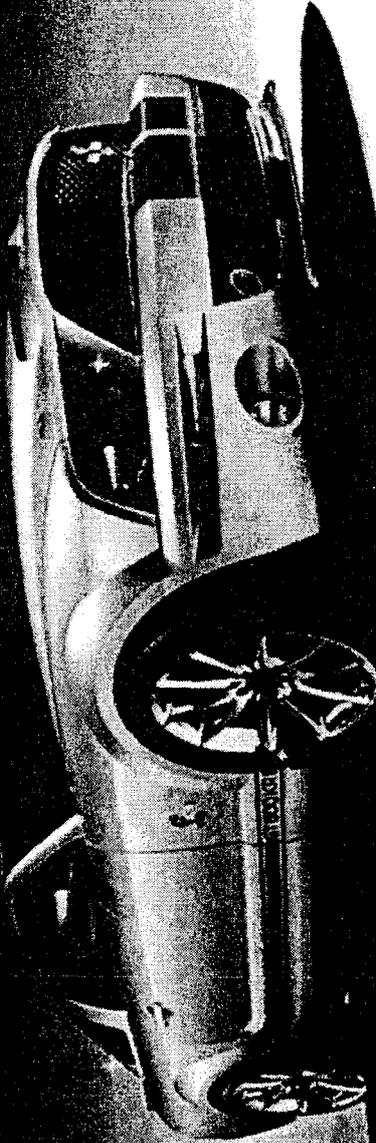
ROUGH TERRAIN

YOUR VEHICLE

SERIOUS SHOP



SERIOUS



REOUT UZ

SERVICE

OUR SHOP

SERIOUS GALLERY

CONTACT

POSTAL ADDRESS

OUR DEPARTMENTS



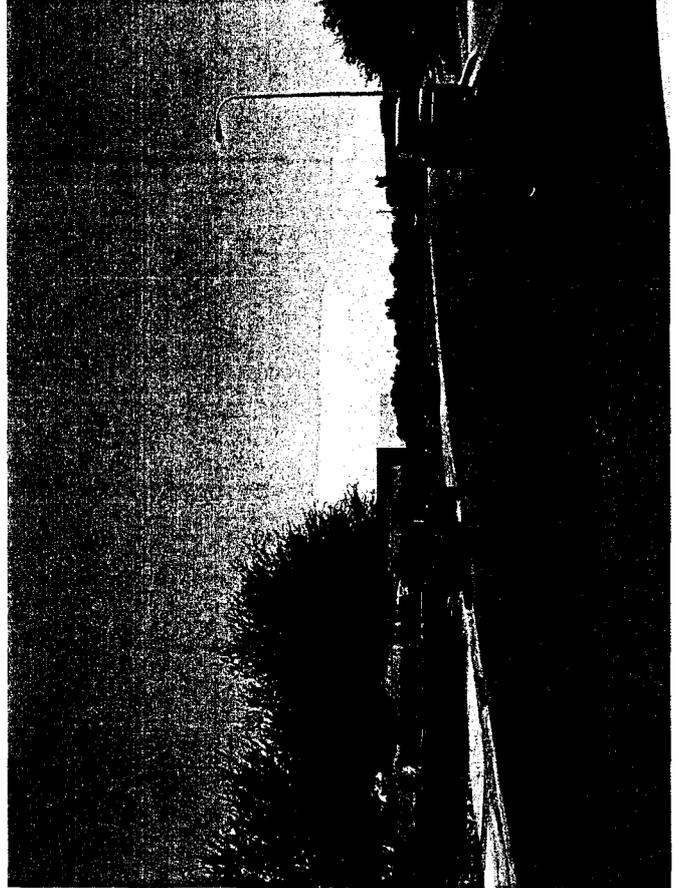
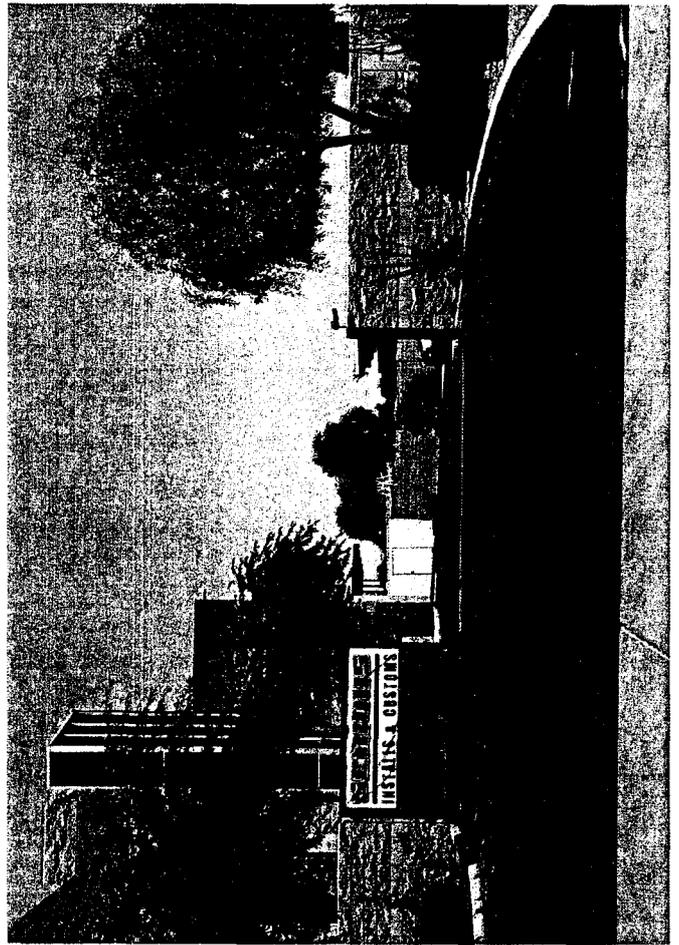
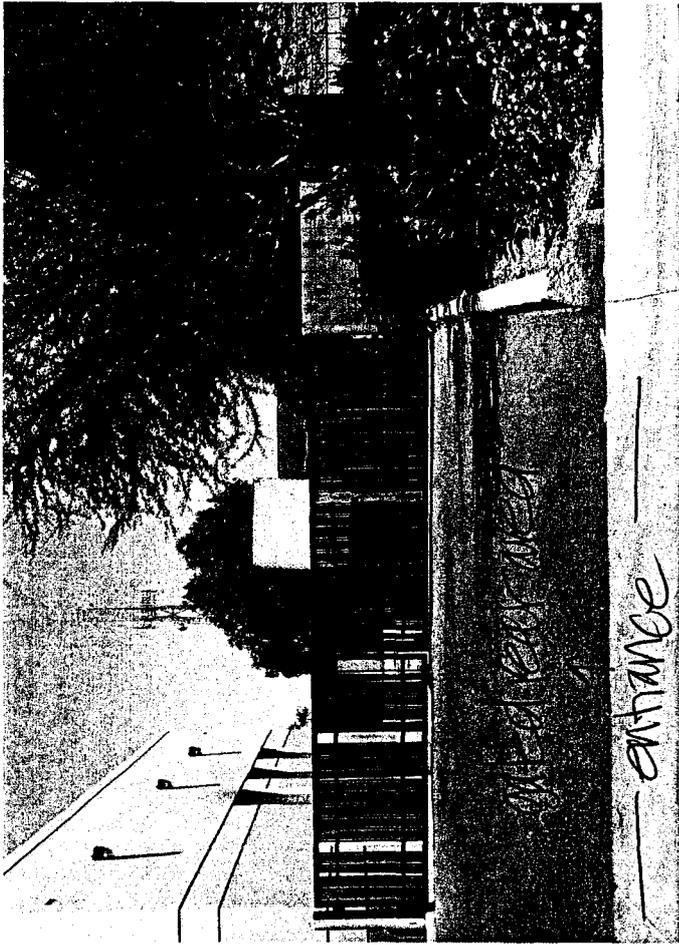
SERIOUS INSTALLS & CUSTOMS.

Matt Robertson

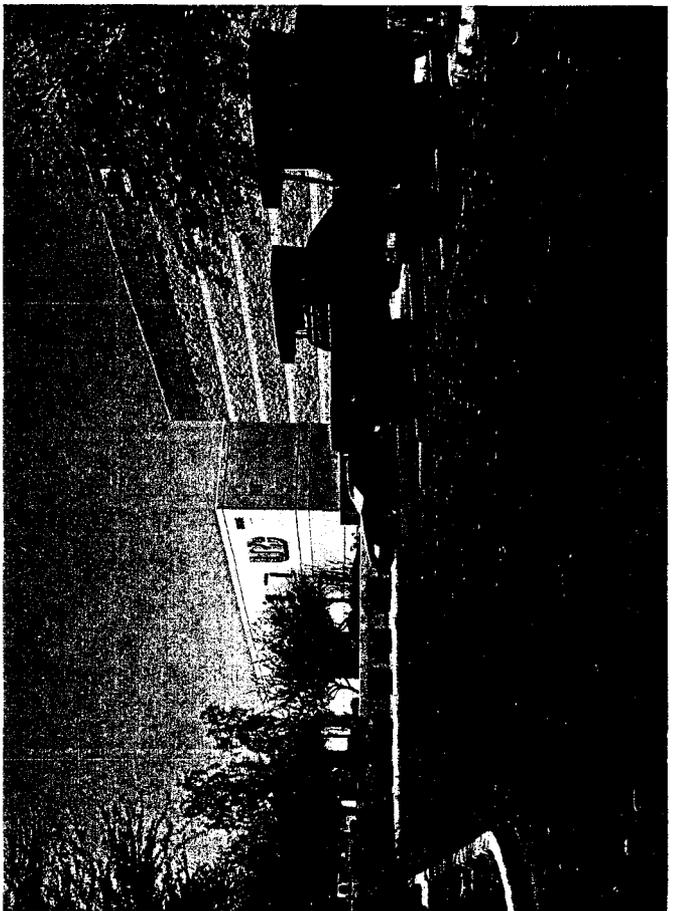
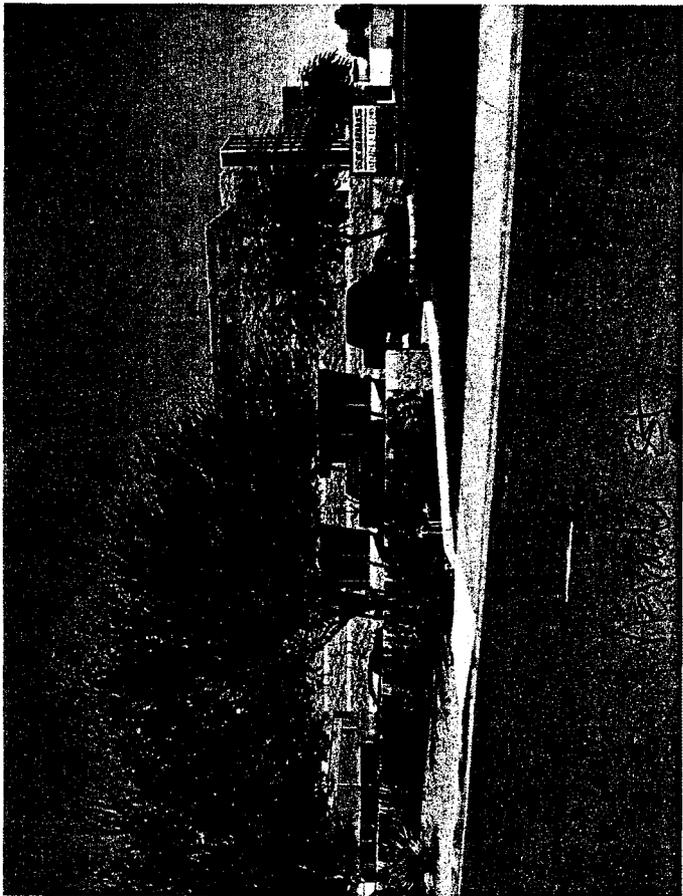
Caleb Ashbeck

Charles (CJ) Carey

Tresco Boutard



02/26/08



03/20/20

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY PROVIDING FOR THE REZONING OF CERTAIN PROPERTIES LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF CHANDLER, ARIZONA.

WHEREAS, applications for rezoning involving certain properties within the corporate limits of Chandler, Arizona have been filed in accordance with Article XXVI of the Zoning Code; and

WHEREAS, the applications have been published in the Chandler, Arizona, a daily newspaper of 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 properties at least seven (7) days prior to said public hearing and

WHEREAS, public hearings were held by both the Planning, and Zoning Commission and City Council, as required by the Zoning Code;

NOW THEREFORE, the City Council of the City of Chandler does hereby pass and adopt the following ordinance.

BE IT ORDAINED BY THE City Council of the City of Chandler, Arizona as follows:

PARCEL NO. 1

The Southwest quarter of Section 10, Township 1 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

EXCEPT that portion of the Southwest quarter of the Southwest quarter of Section 10, Township 1 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

BEGINNING at the Southwest corner of said Section 10; thence North 0 degrees 11 minutes 30 seconds West along the centerline of State Route 87 (Jct. I-10-Mesa Highway), which is coincident with West line of Said Section 10, a distance of 715.20 feet; thence North 89 degrees 48 minutes 30 seconds East 33.00 feet to the existing Easterly right of way line of said State Route 87, the TRUE POINT OF BEGINNING; thence continuing North 89 degrees 48 minutes 30 seconds East 22.00 feet; thence South 0 degrees 11 minutes 30 seconds East 657.19 feet to the aforesaid existing Easterly right of way line of State Route 87; thence North 45 degrees 12 minutes 30 seconds West along said existing Easterly right of way line, a distance of 31.10 feet; thence North 0 degrees 11 minutes 30 seconds West continuing along said right of way line, a distance of 635.20 feet to the TRUE POINT OF BEGINNING.

PARCEL NO. 2

The North half of the Northwest quarter, of Section 15, Township 1 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona:

EXCEPT that portion of the Northwest quarter of the Northwest quarter of Section 15, Township 1 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

BEGINNING at the Northwest corner of said Section 15; thence South 0 degrees 18 minutes 10 seconds East along the center line of State Route 87 (Jct. I-10 - Mesa Highway) which is coincident with the West line of said Section 15, a distance of 714.80 feet; thence North 39 degrees 41 minutes 50 seconds East 33.00 feet to the existing Easterly right of way line of said State route 87, the TRUE POINT OF BEGINNING; thence continuing North 89 degrees 41 minutes 50 seconds East 22.00 feet; thence North 0 degrees 18 minutes 10 seconds West 625.00 feet; thence North 35 degrees 22 minutes 24 seconds East 30.42 feet; thence North 89 degrees 46 minutes 05 seconds East 407.18 feet; thence North 0 degrees 13 minutes 55 seconds West 25.00 feet to the existing Southerly right of way line of Elliot Road; thence South 89 degrees 46 minutes 05 seconds West along said Southerly right of way line, a distance of 407.00 feet; thence South 44 degrees 43 minutes 35 seconds West continuing along said right of way line, a distance of 56.47 feet to the aforesaid Easterly right of way line of State Route 87; thence South 0 degrees 18 minutes 10 seconds East along said Easterly highway right of way line, a distance of 634.80 feet to the TRUE POINT OF BEGINNING, and

EXCEPT a tract of land for a well site situated in the Northwest quarter of the Northwest quarter of said Section 15, described as follows:

BEGINNING at a point which is 37 feet South of a point on North line of said Section 15, distance 1280.9 East from the Northwest corner thereof; thence East 50 feet; thence South 50 feet; thence West 50 feet; thence North 50 feet to the point of beginning.

TOGETHER WITH the underlying fee interest, if any, in and to existing Elliot Road, abutting the above described parcels and in and to said existing State Route 87 (Jct. I-10 - Mesa Highway)

Said parcel contains 230.3 acres.

Said parcels are conditionally rezoned from AG-I to I-I with PAD overlay subject to the conditions setforth in Attachment (A) attached hereto and by reference made a part thereof.

(CASE Z81-69 Costain Arizona, Inc.)

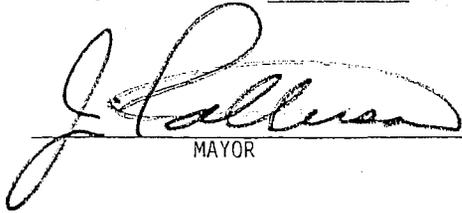
SECTION II.

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

SECTION III.

The Department of Planning and Development 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.

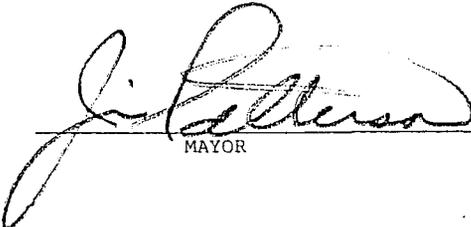
INTRODUCED AND TENTATIVELY APPROVED by the City Council this 8th day of October, 1981.


MAYOR

ATTEST:


CITY CLERK

PASSED AND ADOPTED by the City Council this 29th day of October, 1981.


MAYOR

ATTEST:


CITY CLERK

C E R T I F I C A T I O N

I HEREBY CERTIFY that the above and foregoing Ordinance No. 1007 was duly passed and adopted by the City Council of the City of Chandler, Arizona at a regular meeting held 29th day of October, 1981, and that a quorum was present thereat.

Helene M. Cain
CITY CLERK

APPROVED AS TO FORM:

Clifford O. Frey
CITY ATTORNEY

PUBLISHED : Nov. 3, 1981

ATTACHMENT A

as referenced to Ordinance #1007
Conditions to Rezoning Z81-69

1. The parcel shall be rezoned I-1 with PAD overlay designating uses by area shown in Exhibit B. Use shall be as follows:

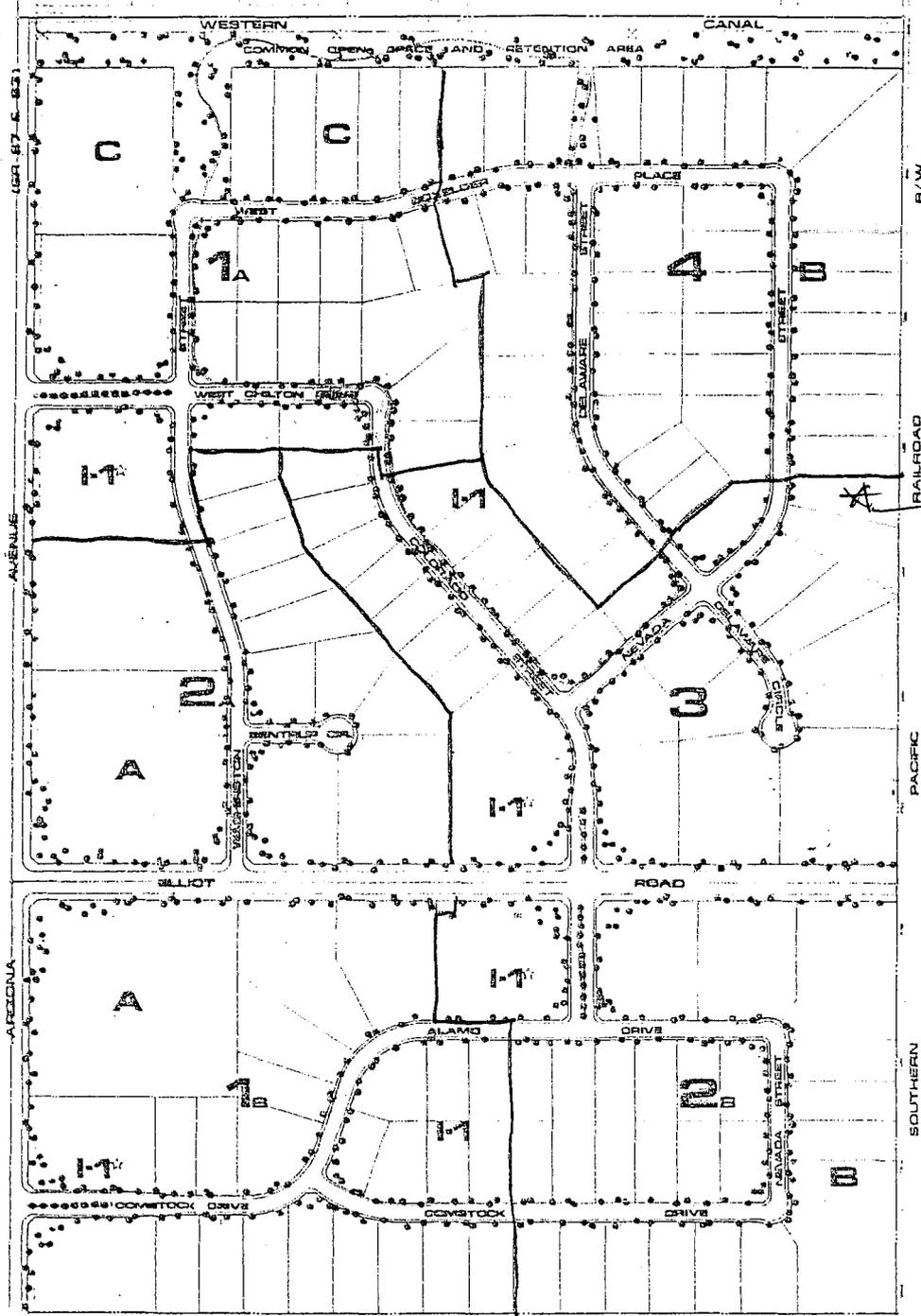
Areas A - Commercial uses shall be permitted as in Section 2901 and 2902 PCO District of the Zoning Code and including lodging facilities and commercial recreation; any other uses must be approved by the Planning Commission.

Areas B - I-1 uses shall be permitted as per Section 2100 of the Zoning Code, I-2 uses may also be permitted subject to approval by the Planning Commission.

Area C - Is a possible site for non-family, multi-family are subject to Use Permit approval; I-1 uses shall also be permitted.

Area D - I-1 uses shall be permitted.
2. The Planning Commission shall review site plans and building elevations for all sites abutting Arizona Avenue and Elliot Road prior to the Zoning Administrator's approval of the site plan.
3. Construction of subdivision improvements to begin within two (2) years of the effective date of the ordinance approving the rezoning.
4. Compliance with Environmental Design Criteria, Attachment A.
5. Dedication of right-of-way for a total of 55 feet for Elliot Road and for a total of 55 feet for Arizona Avenue within 30 days of the date of final adoption of the ordinance approving the rezoning.
6. The approval of this zoning does not assure that the sewage generated by this development will be processed by the existing sewer treatment plant.
7. The requirement of immediate construction of off-site improvements will be temporarily waived provided the owner/developer execute a contract with the City agreeing to accept an improvement district assessment or to construct the off-site improvements within thirty (30) days after receipt of written notice from the Director of Public Works. Said contract shall be executed by the owner/developer within thirty (30) days of the date of final adoption of the zoning ordinance.
8. Dedication of 100 feet right-of-way for the bypass as per City Council adopted route; to be reviewed by City Council within six months of the date of adoption of this ordinance.
9. Inclusion of the drawing by Coe and Van Loy, the Site Plan and Phasing Plan, be incorporated as Exhibits B and C with construction on Phase One to start within two years and construction on the final phase, within eight years.

**ELLIOT COMMERCE PLAZA
CHANDLER ARIZONA**
BY
COSTAIN ARIZONA INC.



subject site

LEGEND

- A** COMMERCIAL USES AS PERMITTED IN THE P.C.D. PLUS LODGING AND COMMERCIAL RECREATION, ANY OTHER USE TO BE APPROVED BY THE PLANNING COMMISSION
- B** POTENTIAL I-1 USES TO BE APPROVED BY THE PLANNING COMMISSION
- C** POSSIBLE NON-FAMILY HOUSING USES
- I-1** I-1 USES
- I-1*** I-1 SUBJECT TO PLANNING COMMISSION REVIEW OF SITE AND BUILDING ELEVATIONS FOR ALL PROJECTS ALONG ELLIOT RD. AND ARIZONA AVE. PRIOR TO ZONING ADMINISTRATOR APPROVAL

ORDINANCE NO. 4099

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM PAD TO PAD (DVR08-0027 SERIOUS INSTALLS & CUSTOMS) 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:

Lot 64 Arizona Corporate Park North, according to Book 297 of Maps, page 24, records of Maricopa County, Arizona.

Said parcel is hereby rezoned from PAD to PAD, subject to the following conditions:

1. Development shall be in substantial conformance with exhibits and representations.
2. Compliance with original stipulations adopted by the City Council as Ordinance No. 1007 in case Z81-69 Costain America, Inc., except as modified by condition herein.
3. Expansion or modification beyond the approved exhibits (Floor Plan, Site Plan, Narrative) shall require reapplication and approval of a PAD zoning amendment.

APPROVED AS TO FORM:

CITY ATTORNEY *EAD*

PUBLISHED: