

APR 23 2009

**ORDINANCE NO. 4150**

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) (DVR09-0003 THE GROVE BIBLE CHURCH) 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:**

Parcel 1

Commencing at the SW corner of Section 7, T.2S. -R.6E., G. & S.R.B. & M., Maricopa County, Arizona, with a basis of bearings of West, being the Southerly line of The SW  $\frac{1}{4}$  of said Section 7, said SW Corner of Section 7, being marked by a brass cap in hand hole; thence N. 0 deg. 25' 25" E., along the Westerly line of the said SW  $\frac{1}{4}$  of Section 7, a distance of 657.50 feet to the TRUE POINT OF BEGINNING, being marked by a nail and tag, LS 32778; thence continuing N. 0 deg. 25' 25" E., along the said Westerly line of the SW  $\frac{1}{4}$  of Section 7, a distance of 662.26 feet to the NW Corner Lot 4 of said Section 7, being marked by a cotton picker spindle, LS 32778; thence N. 89 deg. 58' 04" E., along the Northerly line of said Lot 4, Section 7 and also being the Northerly line of the S  $\frac{1}{2}$  SW  $\frac{1}{4}$  of said Section 7, a distance of 1270.72 feet to the NW

Corner of the subdivision of Paseo Trail Parcel D, as recorded in Book 600 of Maps, Page 42 thereof, Maricopa County Records; thence S. 0 deg. 06' 14" W., (S. 0 deg. 48' 11" E., record) along the Westerly line of said Paseo Trail Parcel D, a distance of 659.04 feet to a point from which a point on the Southerly line of the said SW ¼ of Section 7, bears S. 0 deg. 06' 14" W., 661.40 feet distant there from; thence S. 89 deg. 44' 04" W., 846.44 feet to a point being marked by a ½" bar; LS 32778; thence West, being parallel with the said Southerly line of the SW ¼ of Section 7 a distance of 428.00 feet to the TRUE POINT OF BEGINNING.

Parcel 2

The East 29 feet of the North 662.26 feet of the South 1319.76 feet of the SE ¼ of the SE ¼ Section 12, T.2S. – R.5E, G. & S.R.B. & M., Maricopa County, Arizona.

Said parcel is hereby rezoned from Agricultural District (AG-1) to Planned Area Development (PAD), subject to the following conditions:

1. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
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. Development shall be in substantial conformance with Exhibit C, Comprehensive Sign Package, kept on file in the City of Chandler Planning Services Division, in File No. DVR09-0003 THE GROVE BIBLE CHURCH, except as modified by condition herein.
4. 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.
5. The landscaping shall be maintained at a level consistent with or better than at the time of planting.

6. Landscaping along the Gilbert Road frontage shall be in compliance with current Commercial Design Standards.
7. The site shall be maintained in a clean and orderly manner.
8. Approval by the Director of Planning and Development of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Director of Public Works for arterial street median landscaping.
9. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
10. 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.

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 GROVE BIBILE CHURCH development shall use treated effluent to maintain open space, common areas, and landscape tracts.

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

SECTION III. The Planning & 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 \_\_\_\_\_ day of \_\_\_\_\_, 2009.

ATTEST:

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

PASSED AND ADOPTED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

ATTEST:

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

**CERTIFICATION**

I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 4150 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2009, and that a quorum was present thereat.

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY *GAB*

PUBLISHED:

#8

APR 23 2009



**Chandler • Arizona**  
*Where Values Make The Difference*

**MEMORANDUM**

**Planning and Development – CC Memo No. 09-039**

**DATE:** APRIL 2, 2009

**TO:** MAYOR AND CITY COUNCIL

**THRU:** W. MARK PENTZ, CITY MANAGER  
JEFF KURTZ, ACTING PLANNING AND DEVELOPMENT DIRECTOR  
KEVIN MAYO, ACTING PLANNING MANAGER

**FROM:** ERIK SWANSON, CITY PLANNER

**SUBJECT:** DVR09-0003 THE GROVE BIBLE CHURCH  
Introduction and Tentative Adoption of Ordinance No. 4150

**Request:** Rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for church related uses, along with Preliminary Development Plan (PDP) approval for monument signage

**Location:** North of the northeast corner of Gilbert and Queen Creek Roads

**Project Info:** Approximate 20-acre site

**Applicant:** Matt Stowell, The Grove Bible Church

**RECOMMENDATION**

The request is for rezoning from AG-1 to PAD for church related uses, along with PDP approval for monument signage. Upon finding the request to be consistent with the General Plan, Planning Commission and Staff recommend approval.

**BACKGROUND**

The subject site annexed into the City in late 2008, and shortly thereafter received City initial zoning of AG-1. The current request is to rezone the Church campus from the City initial zoning of AG-1 to PAD for church related uses along with PDP approval for monument signage.

The subject site is located north of the northeast corner of Gilbert and Queen Creek Roads. Directly north and east of the subject site is the Paseo Trails single-family residential

subdivision. South, adjacent to the site is approximately 20-acres of land located in the County. Directly west, adjacent to the site is Gilbert Road, with vacant land zoned for commercial/office/industrial uses beyond that.

Currently, there are three structures on the site that hold the current operations of the church. All of the structures were built prior to annexation. There are no immediate plans at this time for expansion of the site. Future expansion will require Preliminary Development Plan approval by City Council. Currently, there is a single means of ingress/egress on the site. However, the City of Chandler is underway with the Gilbert Road widening which will be completed by the end of the year. With the widening of Gilbert Road a full-access movement will be provided on the north end of the site, and a curb cut will be provided on the south end of the site for access with future development of the site. The existing means of ingress/egress will remain. Concerns were raised regarding the scarcity of the landscaping that is currently along the street frontage. Due to the road widening a number of existing trees will be removed. With the completion of the road widening the trees will be replaced and landscaping will comply with Commercial Design Standards, however shrubs will need to be added. A condition has been added addressing this.

### **SIGNAGE**

The rezoning request also includes the request for two monument signs. The monument signs are wing-wall type signs, similar in design to residential subdivision entry signs. The sign design is in three portions. The tallest portion of the sign is a six-foot column with slate veneer. The second portion of the sign is a sloping curved wall that starts at five-feet and slopes to a height of four-feet. The Church logo and lettering is on this portion of the sign. The third portion of the sign is a large oval-shaped planter box with an overall height of two-feet six-inches. The length of the sign is approximately 32-feet in length. The sign lettering will only have the church logo and name, and will be metal backlit lettering that will produce a halo effect. The logo and lettering is approximately four-feet in height and 14-feet in length. The monument entry signage will flank the main entrance into the site. No building mounted signage is proposed. Staff supports the monument signage citing the unique and attractive design.

### **PUBLIC / NEIGHBORHOOD NOTIFICATION**

- This request was noticed according to the provisions of the City of Chandler Zoning Code.
- An orange 4' X 8' public hearing sign was posted on the property.
- A neighborhood meeting was held on Thursday, September 4, 2008. One neighbor attended the meeting, and was in general support.

As of the writing of this memo, Staff is not aware of any opposition to 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 PAD zoning, recommend approval of DVR09-0003 THE GROVE BIBLE CHURCH, Rezoning and Preliminary Development Plan, subject to the following conditions:

1. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
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.
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7. The site shall be maintained in a clean and orderly manner.
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9. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
10. 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.

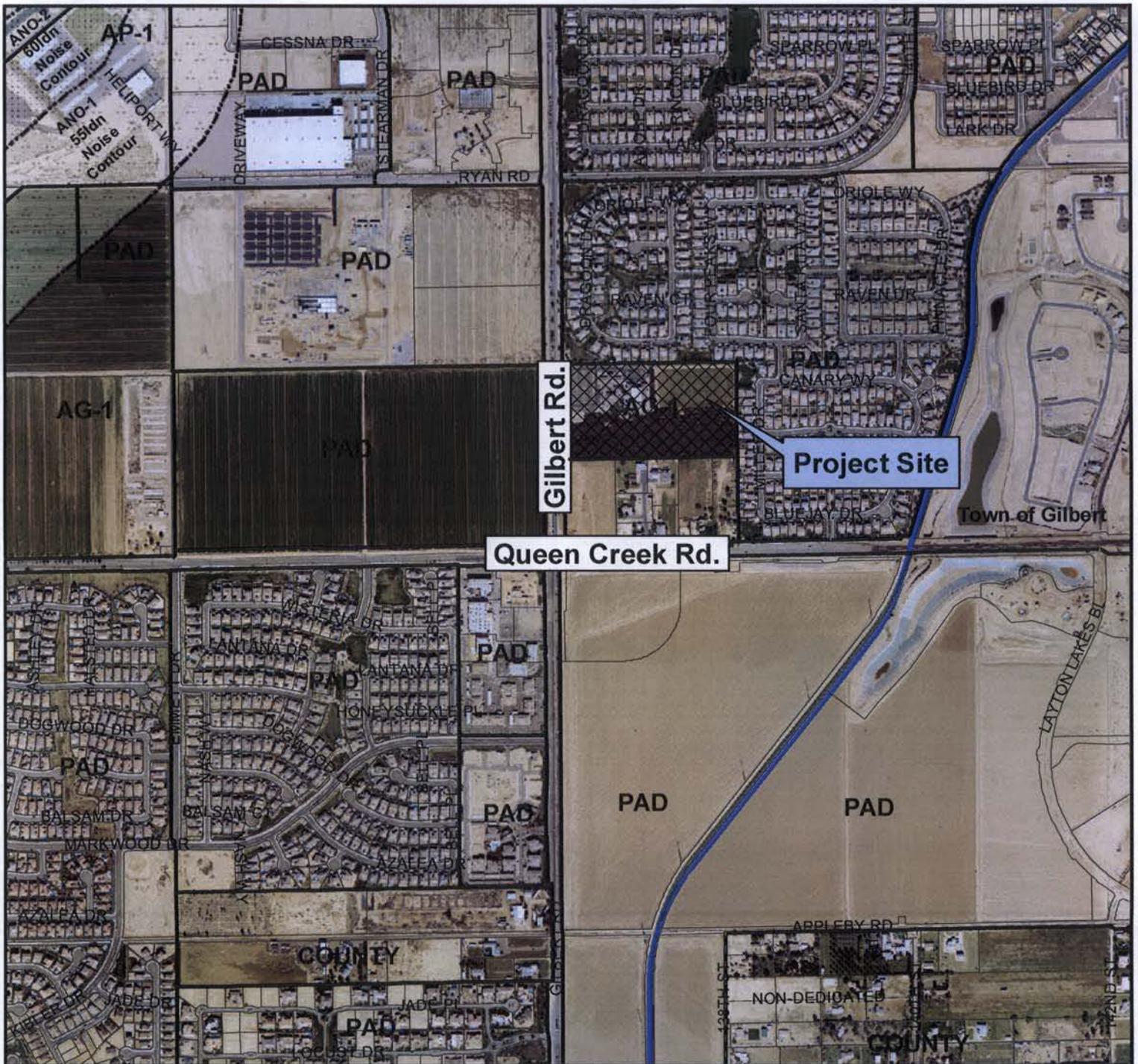
In the event the owner sells or otherwise transfers the development to another person or entity, the owner will also sell or transfer to the buyer of the development, at the buyer's option, the water rights and permits then applicable to the development. The limitation that the water for the development 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 GROVE BIBLE CHURCH development shall use treated effluent to maintain open space, common areas, and landscape tracts.

**PROPOSED MOTION**

Move to introduce and tentatively adopt Ordinance no. 4150 approving DVR09-0003 THE GROVE BIBLE CHURCH request for Rezoning and Preliminary Development Plan approval, as recommended by Planning Commission and Staff.

**Attachments**

1. Vicinity Map
2. Applicant Narrative
3. Comprehensive Sign Package
4. Ordinance No. 4150



Queen Creek Rd.

Gilbert Rd.

Project Site

Town of Gilbert

## Vicinity Map



DVR09-0003

The Grove Bible Church



January 12, 2009

## **NARRATIVE:**

The Grove Bible Church campus is approximately 20 acres and currently consists of three buildings, totaling approximately 30,000 sq ft. The three buildings include a multi-purpose building, a student building, and a coffee shop which houses The Grove Coffee Co.

The architecture features exposed timber trusses with large slate-covered columns. The roofs are peaked with colored concrete tiles. Walls are sand-finished stucco.

The site is designed around a pedestrian courtyard that centers on a coffee shop. The campus sits in a grove of more than a thousand pistachio trees that add to the pleasing aesthetics. The courtyard is made of earth-tone pavers with half walls and seating built into the hard-scape. The current campus also includes 4.5 acres of sports fields.

The landscapes theme features Arizona mountain vegetation. The many pine trees complement the exposed timber trusses. Bougainvilleas and lantana groundcover also add color around the buildings.

There are currently 198 parking spaces, with 8 handicap spaces, and additional parking is available along curbs.

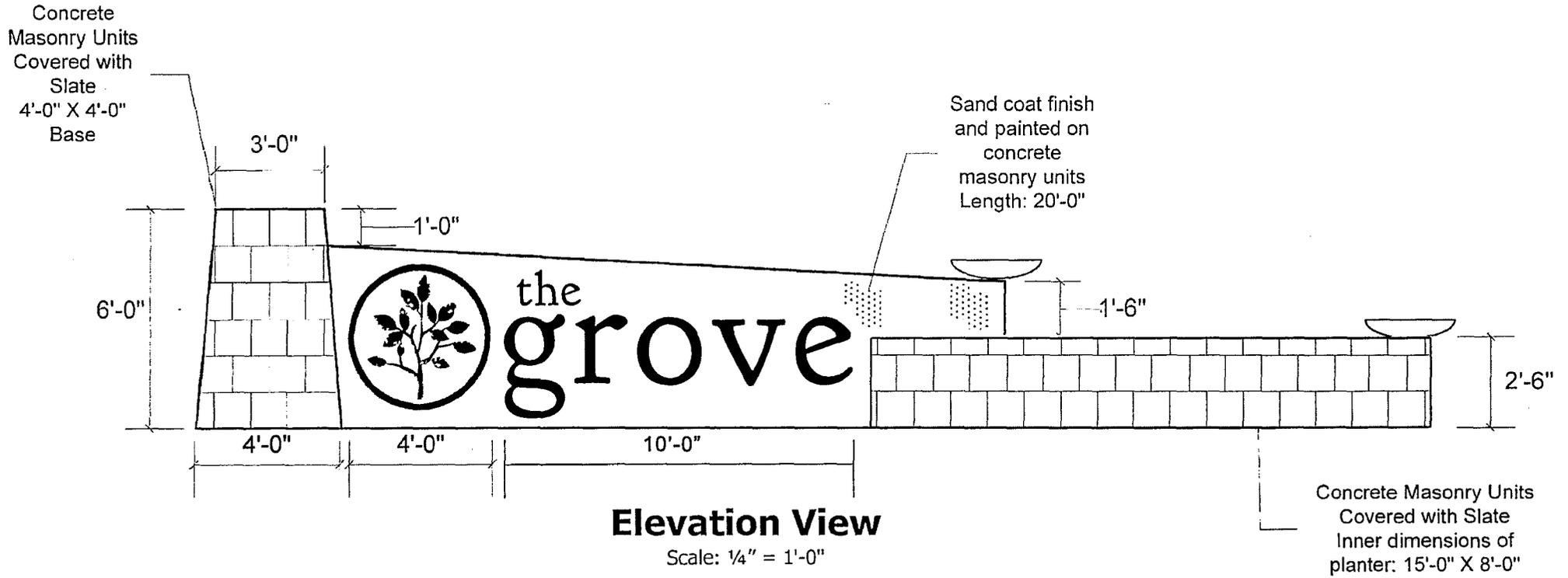
The primary hours of operation on Sunday mornings is from 8am to 12noon. Approximately 1,000 people, total, attend the three Sunday worship services. During week days the church office is open from 9 to 5. Various church groups also meet during the week, with some groups meeting in the evenings. The Grove currently has 15 fulltime and part-time employees.

Phase II of The Grove includes the construction of a Worship Auditorium and a Children's Ministry building on the SW quarter-section of the campus.

And The Grove's future plans include a four-year, degree-granting College. The Grove is currently (and will continue to) acquiring contiguous property to the south to help accommodate this future plan.

# THE GROVE BIBLE CHURCH

CHANDLER, AZ



**Elevation View**

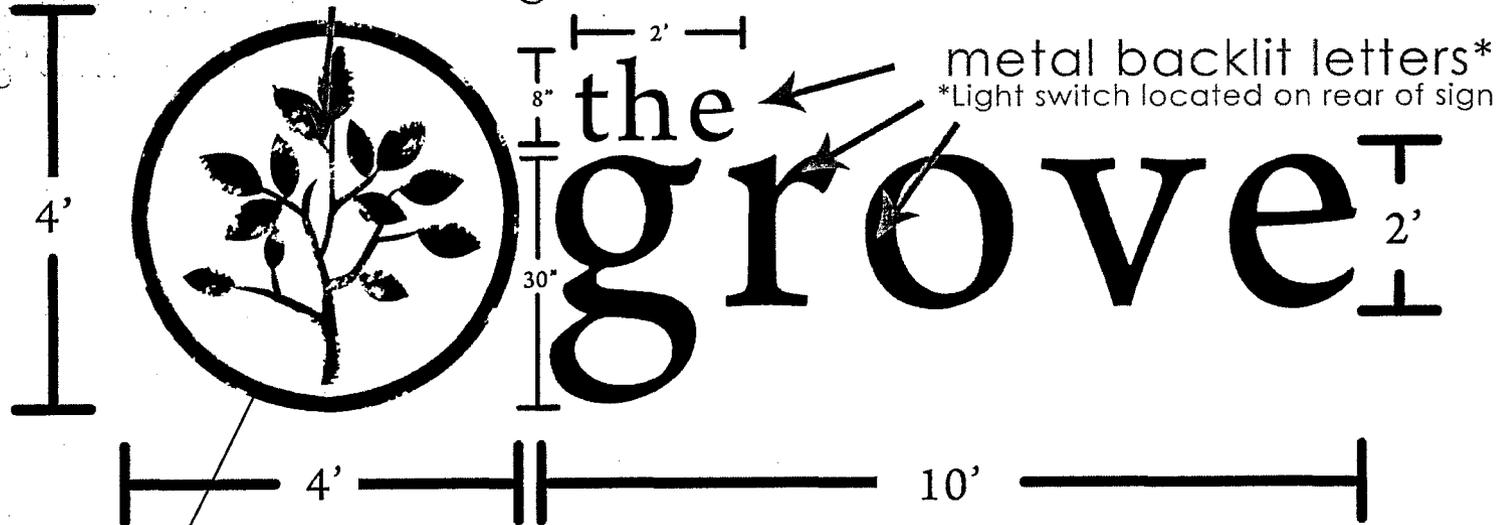
Scale: 1/4" = 1'-0"

"the" letters: 8" high  
"grove" letters: 24" high

Drawing 1		REVISIONS		The Grove Bible Church & Coffee Co.  www.thegroveofaz.com	
DATE ORIGINAL	SCALE	NO	DATE		DESCRIPTION
1/11/08	1/4" = 1'0"				
LATEST REVISION	JOB NO.	CHECKED	DATE		DRAWN

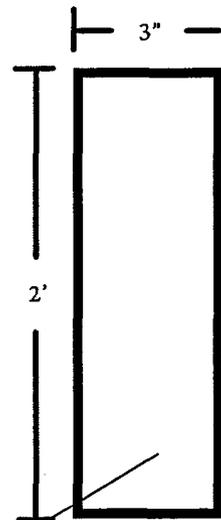
# -Front View-

metal backlit sign\*



Logo cut out of 1/4" thick steel plate. Back-lit to produce hallow effect.

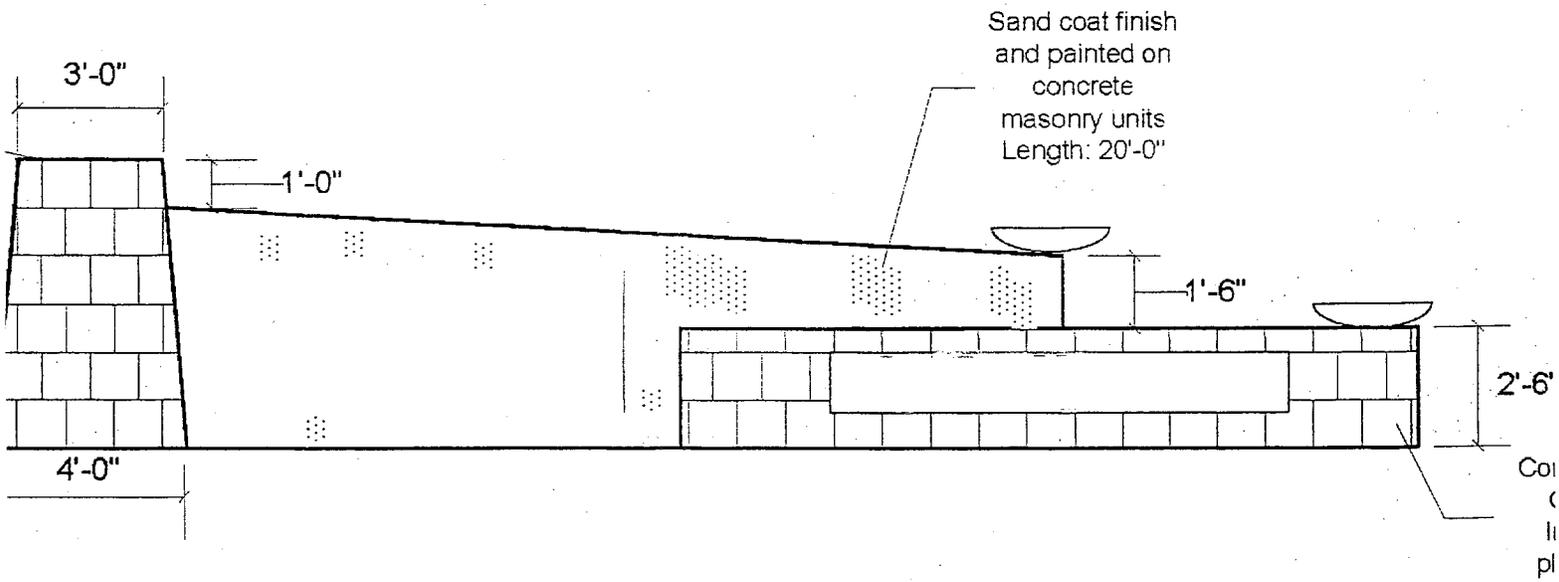
# -Side View- (of letters)



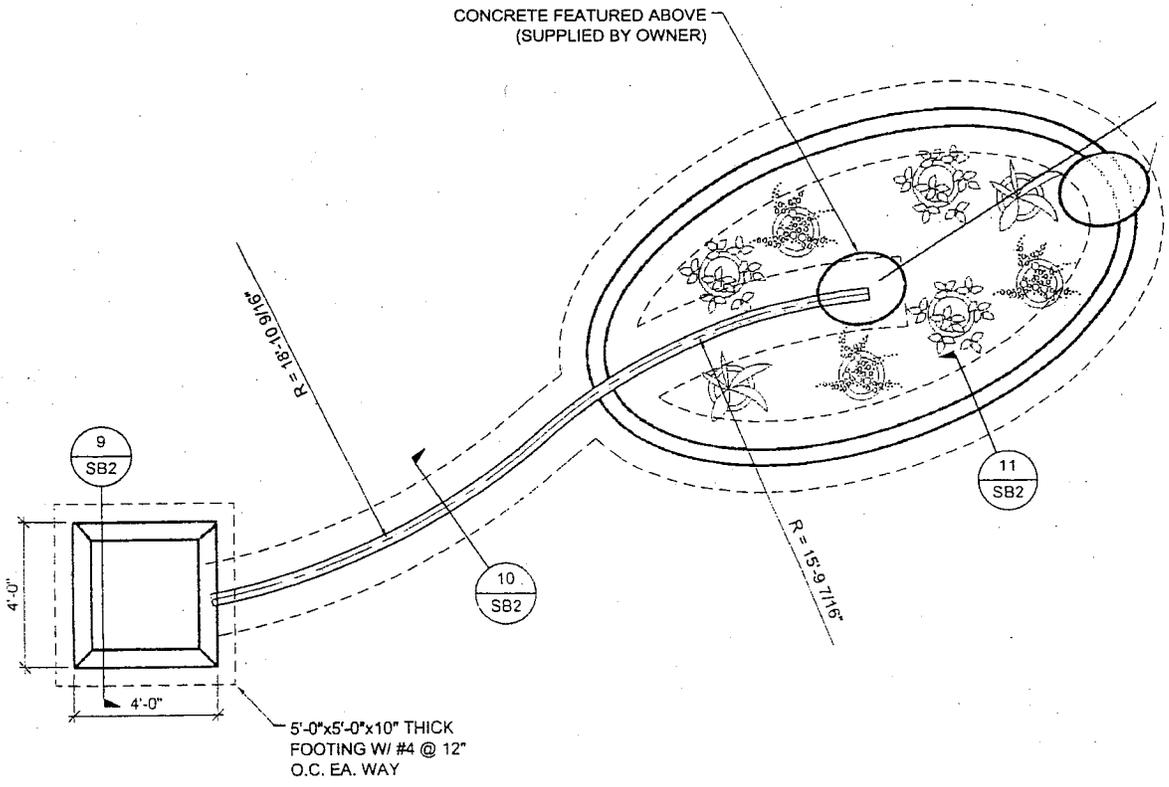
Low-voltage neon lighting inset in hollow metal letters to produce a backlit, hallow effect.

## NOTES:

1. The outdoor lighting shall be automatically controlled by photocell and time clock with manual override capabilities.
2. All underground conduit is schedule 40 pvc. All conduit is 1" diameter unless otherwise noted.
3. Photo cell - Tork #2100. Mount on rear of sign.
4. All electrical shall comply with NEC article 518.
5. Conduit routing shown is approximate and schematic in nature. Contractor to determine actual routing in field.
6. All work shown is new. Coordinate installation of all electrical work with other trades.

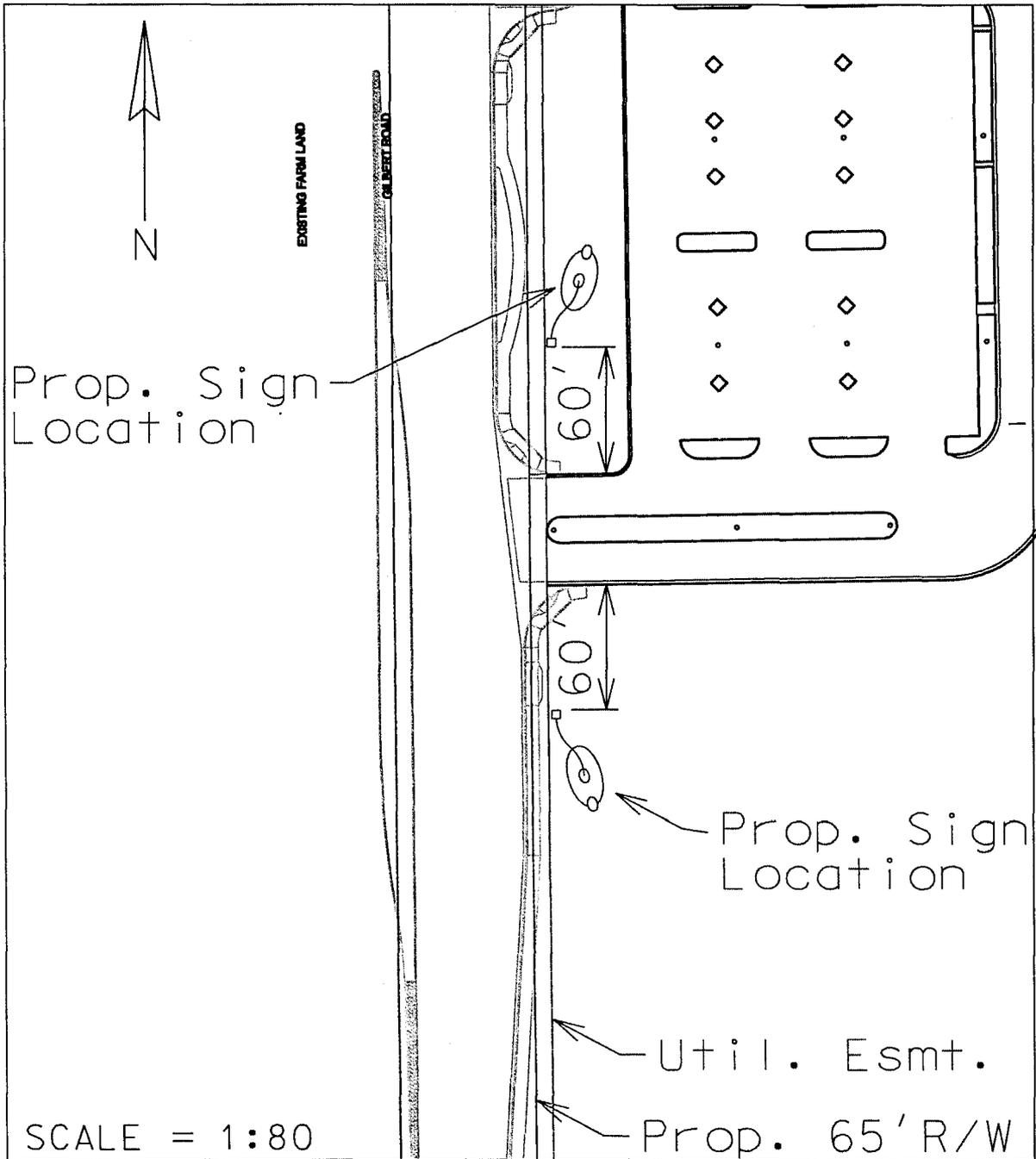


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1 SIGN BASE PLAN  
SB1

N.T.S.



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