

#22

JUN 11 2009



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

**MEMORANDUM**

**Planning and Development – CC Memo No. 09-058**

**DATE:** MAY 22, 2009

**TO:** MAYOR AND CITY COUNCIL

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

**FROM:** BILL DERMODY, SENIOR CITY PLANNER *BD*

**SUBJECT:** DVR08-0043 RAY ROAD INDUSTRIAL CENTER

**Request:** Action on the existing Planned Industrial District/Planned Area Development (I-1/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 Regional Commercial (C-3)/PAD zoning

**Location:** Northwest corner of Ray Road and the Union Pacific Railroad, approximately 765 feet east of Arizona Avenue

**Applicant:** Ray Road Business Center LLC

**Project Info:** Warehouse, office, and showroom uses on approximately seven (7) acres

**RECOMMENDATION**

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

**EXTENSION OF THE TIMING CONDITION**

The application requests a time extension for an approximately 7-acre parcel located at the northwest corner of Ray Road and the Union Pacific Railroad, just east of the shopping center anchored by Food City. The Planned Industrial District/Planned Area Development (I-1/PAD) zoning approval was granted for a period of three (3) years, which expired on December 15,

2008. The three-year extension would be calculated to begin from the previous approval's expiration date, resulting in an extension to December 2011.

The City has the following options when a zoning district's timing condition expires. The City could, by 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 requested timing extension is approved, all other conditions in the original approval would remain in effect.

### **BACKGROUND**

Immediately west of the site is a retail center anchored by Food City, to the east is Valley Recycling Works, to the north is an agricultural site approved for the Tre Vicino residential development, and across Ray Road to the south is an apartment complex.

The site received its zoning and Preliminary Development Plan (PDP) approval in 1999. The zoning was extended in 2002 and 2005.

No substantive changes have been made to the development plans that were approved by Council in 1999. The proposal is to construct three office/warehouse buildings on the site, one of which faces Ray Road, totaling approximately 96,960 square feet. The 36,000 square foot building facing Ray Road will house office/warehouse uses with limited showroom display space, while the other two buildings, which face outward to the east and west and are each 31,000 square feet, will contain strictly office/warehouse uses. The display space in the middle building is to be utilized by wholesale cabinet shops or similar uses.

According to the approved PDP, the buildings are laid out in a U-shape with access from Ray Road. Exterior construction is concrete tilt panel with offsets and recessed glass designed to break up the usual repetitive format of multi-tenant buildings. Symmetry is broken through the use of unequal massing of major elements (concrete tile and glass areas) and the use of color. Automobile circulation and parking are around the perimeter of the project. The truck delivery areas and loading docks are within an interior service court area that is screened from off-site view by the three buildings.

The property had previously been zoned from AG-1 to C-3/PAD for automotive related commercial services in 1987. In 1988, the zoning was amended to reduce the amount of automotive services and to add an industrially oriented office/warehouse structure. No construction occurred under this zoning.

### **PUBLIC/NEIGHBORHOOD NOTIFICATION**

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on April 23, 2009. No citizens attended.
- At the time of this writing, Staff is not aware of any opposition to this request.

### **PLANNING COMMISSION VOTE REPORT**

Motion to approve.

In Favor: 7    Opposed: 0

**RECOMMENDED ACTION**

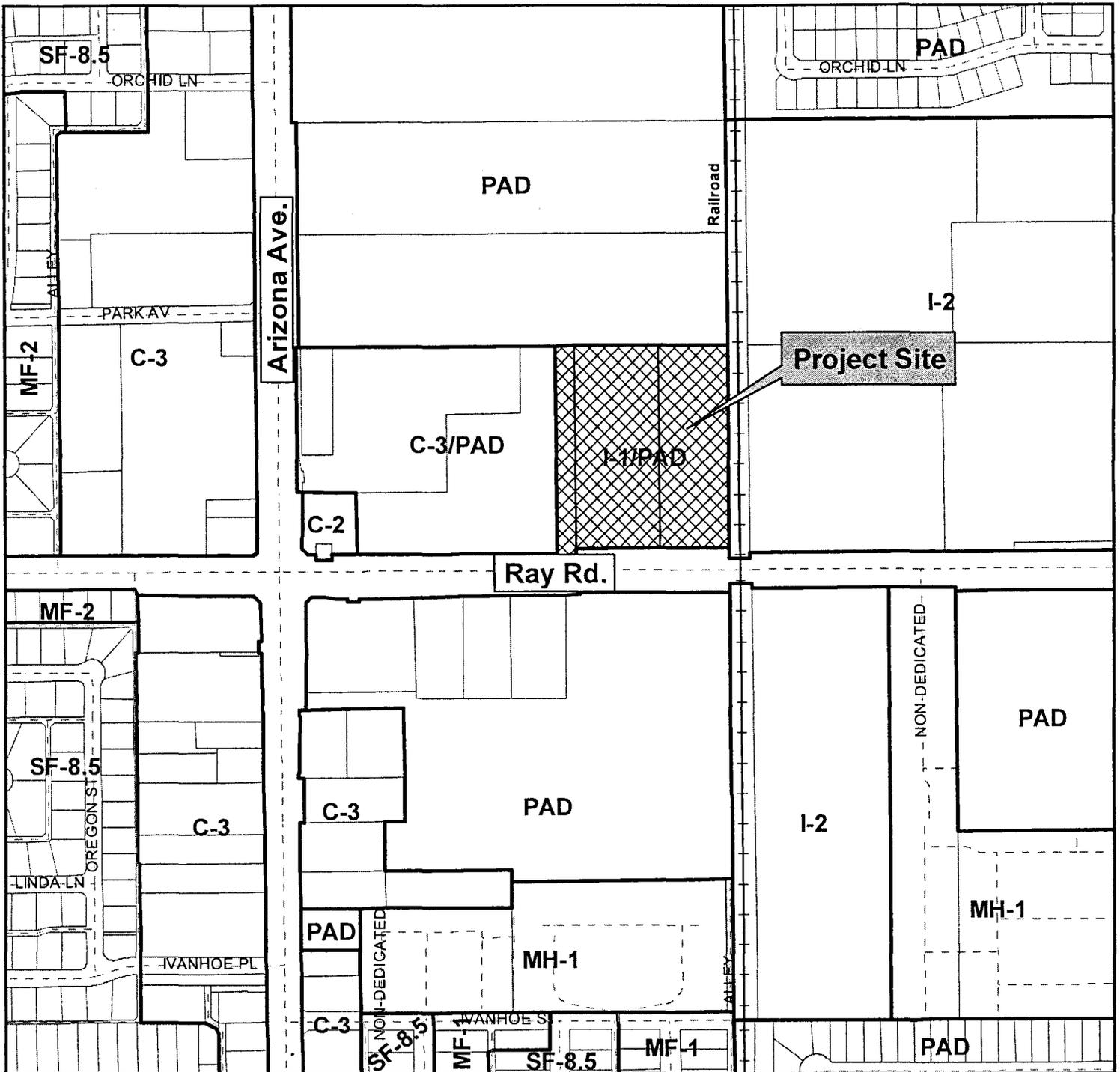
Planning Commission and Staff, upon finding consistency with the General Plan, recommend approval to extend the timing condition for three (3) years with all of the conditions in the original approval remaining in effect.

**PROPOSED MOTION**

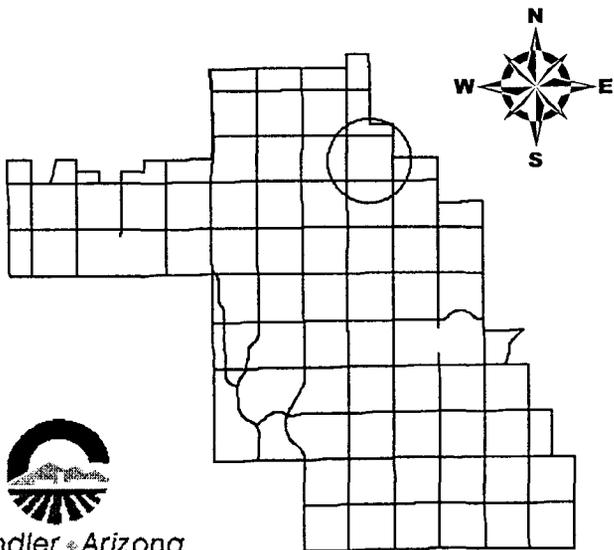
Move to approve the timing condition for case DVR08-0043 RAY ROAD INDUSTRIAL CENTER for an additional three (3) years, in which the zoning would be in effect until December 2011, with all of the conditions in the original approval remaining in effect as recommended by Planning Commission and Staff.

**Attachments**

1. Vicinity Map
2. Site Plan
3. Ordinance No. 3041



## Vicinity Map



DVR08-0043

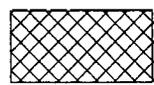
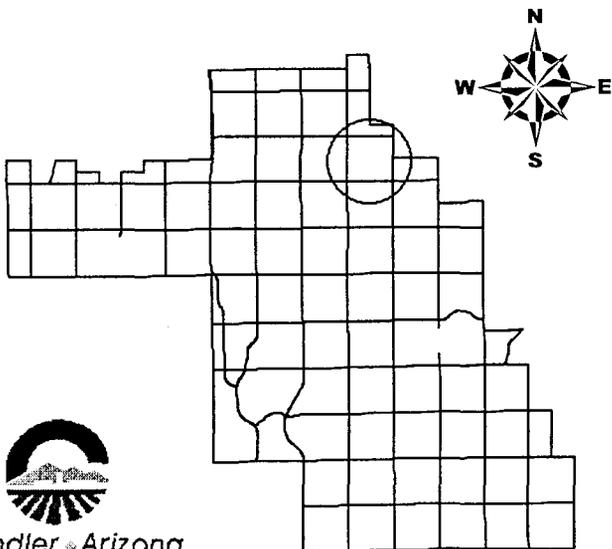
Ray Road Industrial Center



Chandler Arizona  
Where Values Make The Difference



## Vicinity Map



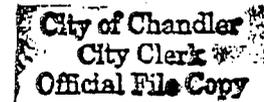
DVR08-0043

Ray Road Industrial Center



Chandler Arizona  
Where Values Make The Difference





## ORDINANCE NO. 3041

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM C-3/PAD TO I-1/PAD (PL98-072 RAY ROAD INDUSTRIAL 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 properties 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 1.           Legal Description of Property:

As per Attachment "A", attached hereto and by reference made a part hereof.

Said parcel is hereby rezoned from C-3/PAD to I-1/PAD subject to the following conditions:

1. Right-of-way dedications to achieve full half width for Ray Road per the standards of the Chandler Transportation Plan.
2. Dedicate an 8 foot wide public utility easement along the Ray Road frontage.
3. 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.

## ORDINANCE NO. 3041

Page 2

4. Undergrounding, if applicable, of all overhead electric (under 69KV), communications and television lines and any open irrigation ditches or canals located on the site or within adjacent right-of-ways and/or easements in accordance with City adopted design and engineering standards.
5. Development shall be in substantial conformance with Project Narrative, Exhibit A-Architectural Site Plan, Exhibit B-Grading and Drainage Plan, Exhibit C-Landscape Plan, and Exhibits D & E-Building Elevations
6. The exhibits and representations submitted herein are found to be in compliance with the requirements for Preliminary Development plan approval. Preliminary Development Plan approval does not constitute Final Site Development Plan approval by the Zoning Administrator.
7. Conformance with the Site Development Standards, including landscaping, contained within the Chandler Zoning Code.
8. The developer shall be required to install landscaping in the arterial street median 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.
9. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting material, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
10. Construction shall commence above foundation within two (2) 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.
11. Due to the impact of the development, a development agreement in the form approved by the City as required to provide necessary public infrastructure.

SECTION 2. Except where provided, nothing contained herein shall be construed to be an abridgment of any other ordinance of the City of Chandler.

SECTION 3. The Planning and 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.

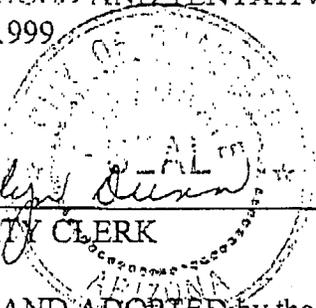
ORDINANCE NO. 3041

Page 3

INTRODUCED AND TENTATIVELY APPROVED by the City Council this 28<sup>th</sup> day of October, 1999

ATTEST:

Carolyne Dunn  
CITY CLERK

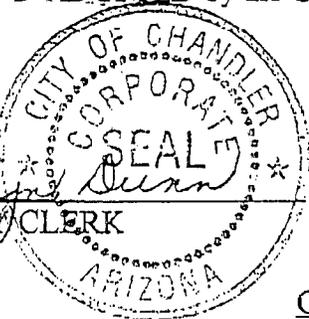


Jay Ziskany  
MAYOR

PASSED AND ADOPTED by the City Council this 4<sup>th</sup> day of November, 1999.

ATTEST:

Carolyne Dunn  
CITY CLERK



Jay Ziskany  
MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 3041 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the 4<sup>th</sup> day of November, 1999, and that a quorum was present thereat.

Carolyne Dunn  
CITY CLERK

APPROVED AS TO FORM:

Dennis M. O'Neill  
CITY ATTORNEY

PUBLISHED:

11/10/99

11/17/99