

#16

AUG 13 2009



Chandler • Arizona
Where Values Make The Difference

MEMORANDUM

Planning & Development - CC Memo No. 09-075a

DATE: JULY 21, 2009

TO: MAYOR AND CITY COUNCIL

THRU: W. MARK PENTZ, CITY MANAGER
PATRICK MCDERMOTT, ASSISTANT CITY MANAGER
JEFF KURTZ, ASSISTANT PLANNING & DEVELOPMENT DIRECTOR
KEVIN MAYO, ACTING PLANNING MANAGER

FROM: ERIK SWANSON, CITY PLANNER

SUBJECT: DVR09-0006 MAPLEWOOD COURT

Request: 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: Southwest corner of Maplewood and Vine Streets, which is located south and east of the southeast corner of Alma School and Willis Roads

Applicant: Alan Evans, MGK Land Development

RECOMMENDATION

The request was continued at the June 30, 2009 City Council meeting to allow time to post the site to meet notification requirements. The application requests a time extension for an approximate 15-acre parcel located at the southwest corner of Maplewood and Vine Streets, which is located south and east of the southeast corner of Alma School and Willis Roads. Upon finding the request to be consistent with the General Plan, Planning Commission and Staff recommend approval.

BACKGROUND

The 15-acre site received PAD zoning for a custom 32-lot single-family residential neighborhood in early 2006. As part of the conditions of approval there was a condition requiring that

construction commence above foundation walls within three years of Council approval. Construction has not started, thus requiring an extension of the zoning. Surrounding the site to the north, east, and south is land zoned Agricultural (AG-1) with single-family homes dispersed throughout the area. Directly west, adjacent to the site is the 43-lot Eden Estates, custom single-family residential neighborhood.

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 were approved, all other conditions in the original approval would remain in effect.

Staff continues to find the PAD zoning appropriate for the site, citing its conformance with the General Plan and consistency with the surrounding area.

PUBLIC/NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on Tuesday May 12, 2009, approximately 10 neighbors attended. General questions were raised regarding the proposed subdivision and whether or not anything was changing to what was previously approved. Concerns were also raised regarding the maintenance of the site. It was explained that the current request was only for extending the zoning of the site.

At the time of this writing, Staff is not aware of any opposition to this request, other than the concerns mentioned above.

PLANNING COMMISSION VOTE REPORT

Motion to Approve:

In Favor: 6 Opposed: 0 Absent: 1 (Hartke)

RECOMMENDED ACTION

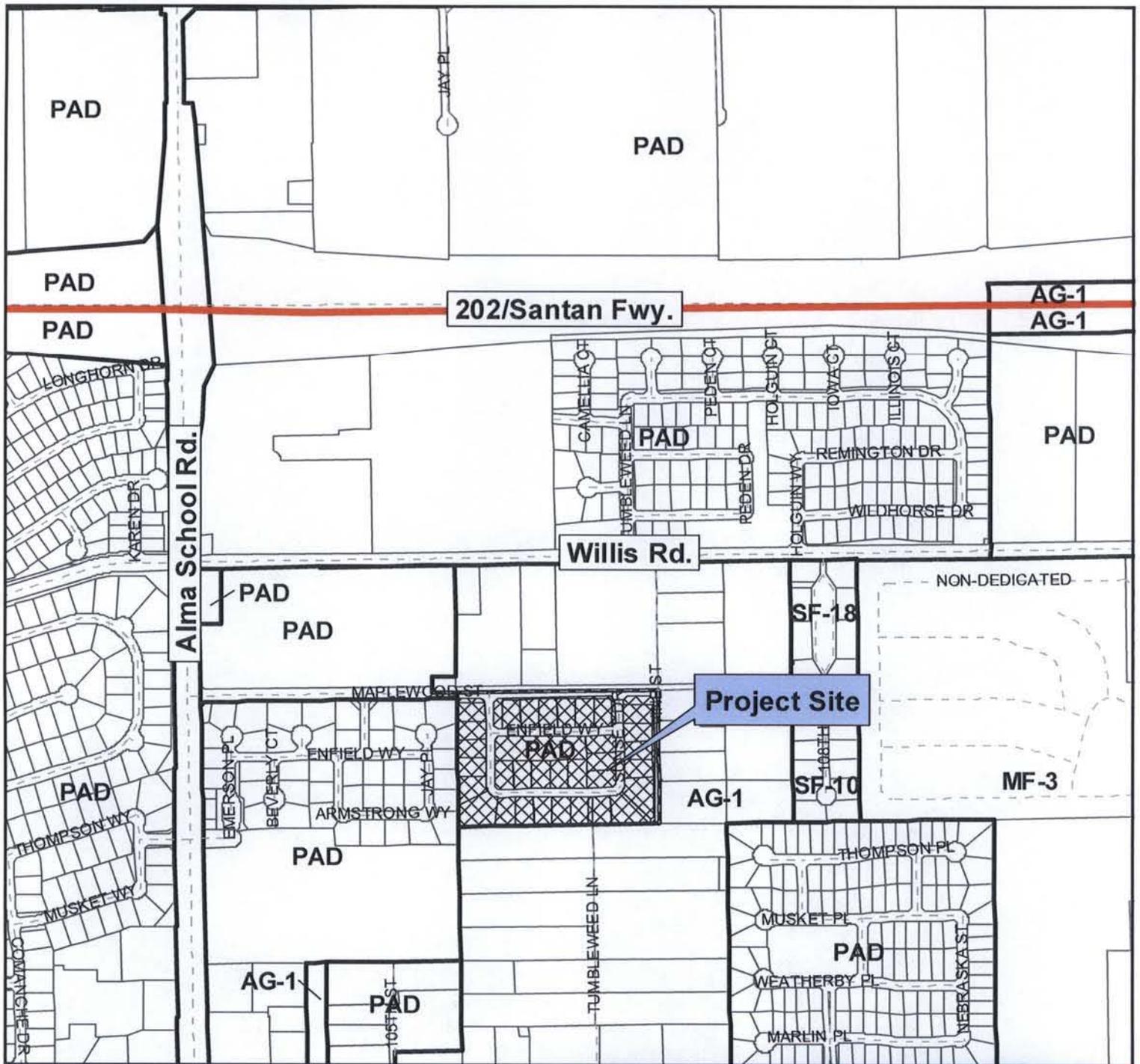
Planning Commission and Staff, upon finding consistency with the General Plan, recommend approval to extend the timing condition for an additional three (3) years with all of the conditions in the original approval remaining in effect.

PROPOSED MOTION

Move to approve the timing condition for case DVR09-0006 MAPLEWOOD COURT, for an additional three (3) years, as recommended by Planning Commission and Staff

Attachments

1. Vicinity Map
2. Site Plan
3. Landscape Plan
4. Ordinance No. 3764



Vicinity Map



DVR09-0006

Maplewood Court





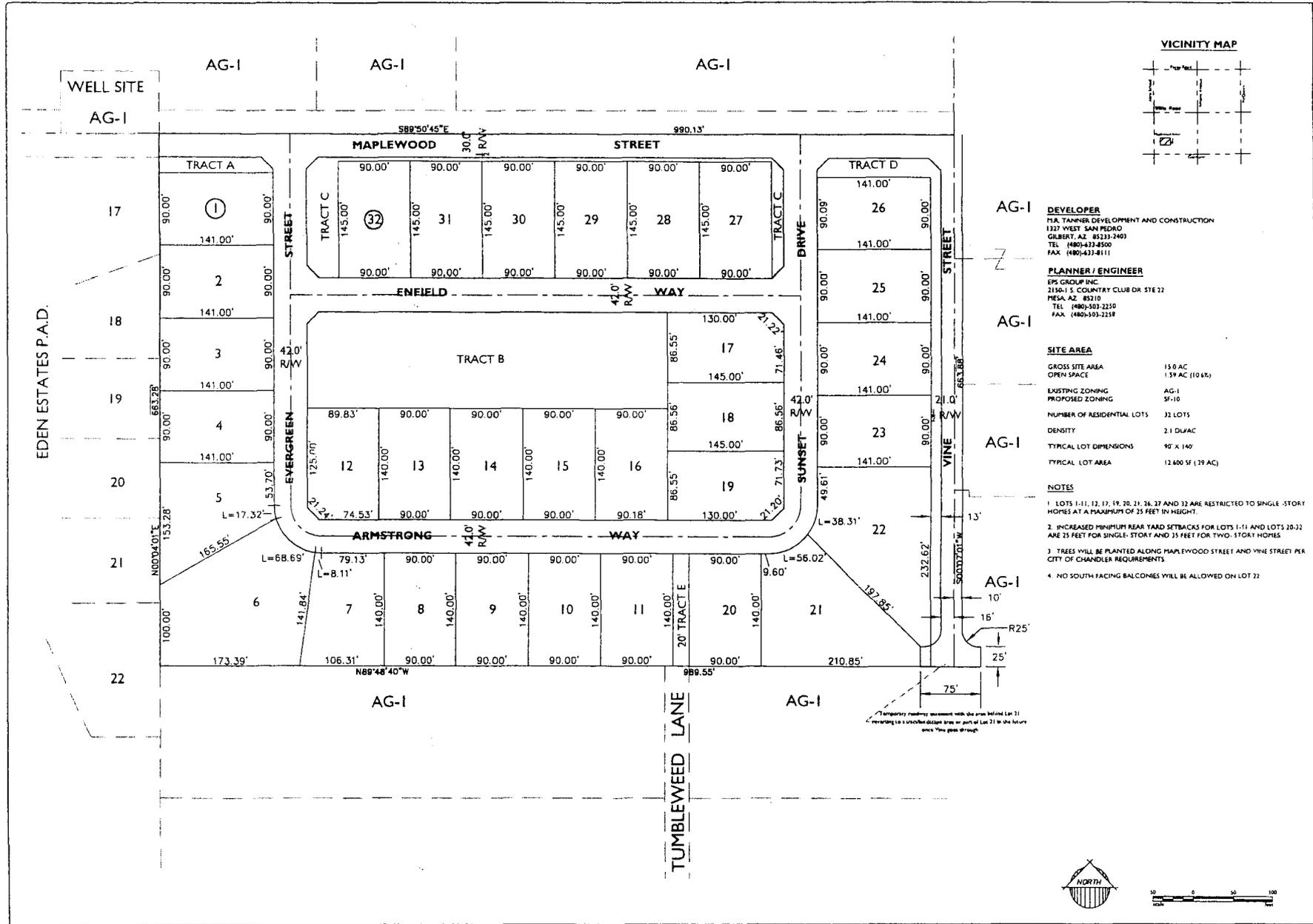
Vicinity Map



DVR09-0006

Maplewood Court

04-027



AG-I DEVELOPER
 PIA TANNER DEVELOPMENT AND CONSTRUCTION
 1327 WEST SAN PEDRO
 GILBERT, AZ 85233-2403
 TEL: (480) 433-8500
 FAX: (480) 433-8111

AG-I PLANNER / ENGINEER
 EPS GROUP INC
 3160 S. COUNTRY CLUB DR STE 22
 MESA, AZ 85210
 TEL: (480) 503-2250
 FAX: (480) 503-2258

AG-I SITE AREA

GROSS SITE AREA	15.0 AC
OPEN SPACE	1.59 AC (10.4%)
EXISTING ZONING	AG-1
PROPOSED ZONING	SP-10
NUMBER OF RESIDENTIAL LOTS	32 LOTS
DENSITY	2.1 DU/AC
TYPICAL LOT DIMENSIONS	90' X 140'
TYPICAL LOT AREA	12,600 SF (39 AC)

- AG-I NOTES**
1. LOTS 1-11, 12, 17, 19, 20, 21, 24, 27 AND 32 ARE RESTRICTED TO SINGLE STORY HOMES AT A MAXIMUM OF 25 FEET IN HEIGHT.
 2. INCREASED MINIMUM NEAR YARD SETBACKS FOR LOTS 1-11 AND LOTS 20-32 ARE 25 FEET FOR SINGLE STORY AND 35 FEET FOR TWO STORY HOMES.
 3. TREES WILL BE PLANTED ALONG MAPLEWOOD STREET AND VINE STREET PER CITY OF CHANDLER REQUIREMENTS.
 4. NO SOUTH FACING BALCONIES WILL BE ALLOWED ON LOT 22.

*Temporary easement agreement with the area behind Lot 21 regarding use of the easement area for part of Lot 21 in the future once "time pass through"

eps group, inc.
 Engineers, Planners & Surveyors
 11401 E. COCHISE DR., SUITE 111, TUCSON, ARIZONA 85749
 TEL: (520) 883-1100 FAX: (520) 883-1101

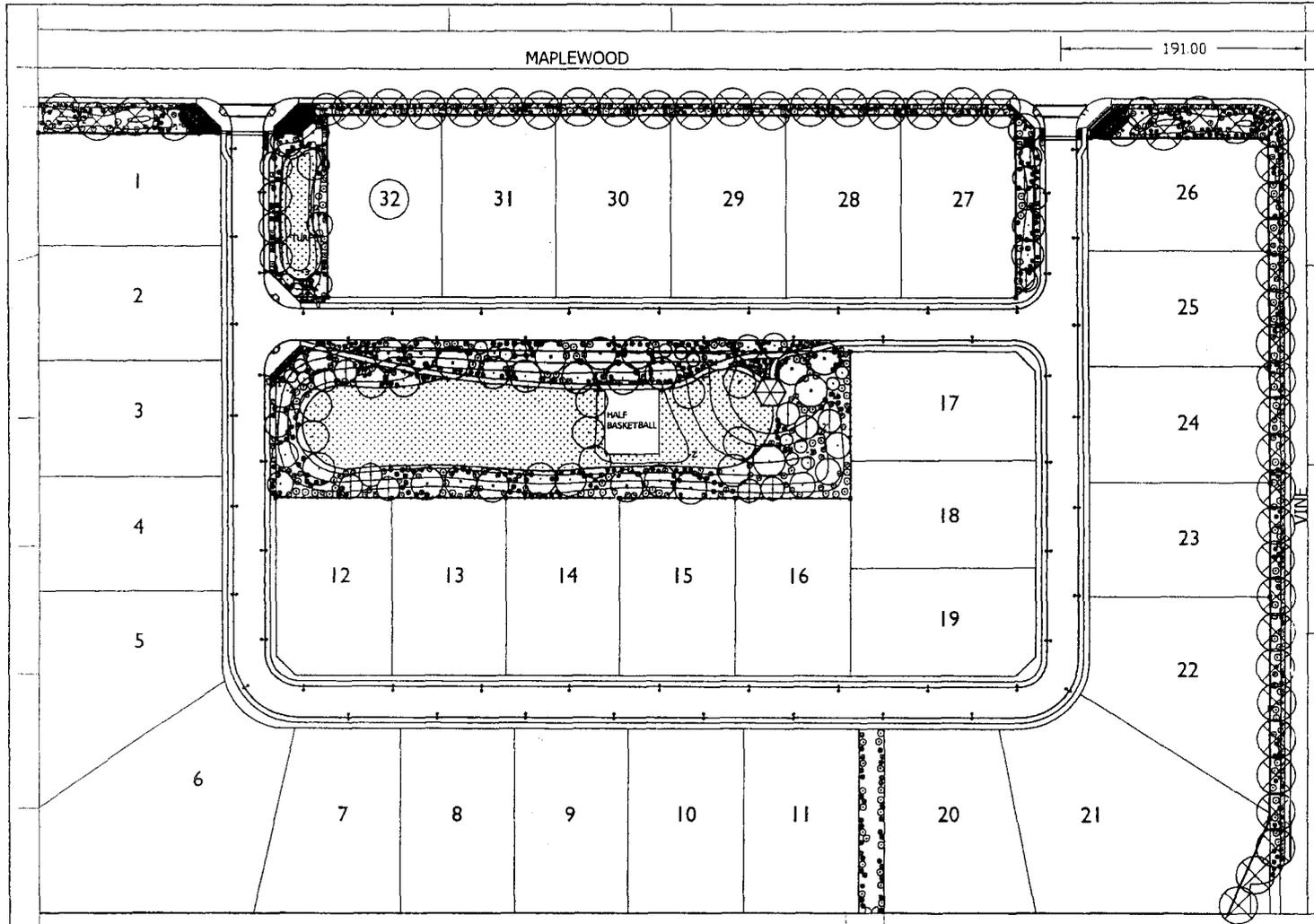
MAPLEWOOD COURT
 CHANDLER, ARIZONA

SITE PLAN

Project: _____
 Revision: _____
 Date: 7/1/2005
 Drawn by: CD
 Check by: DJH

Job No: **04-027**

Sheet No: **2**
 of 2



191.00

MAPLEWOOD

GBtwo
LANDSCAPE ARCHITECTURE

PLANT LEGEND

TREES	BOTANICAL NAME	COMMON NAME	SIZE	QTY	REMARKS
	Acacia smallii	Sweet Acacia	15' Gal	18	PHOTO 10/05
	Cordia alliodora	Texas Olive	15' Gal	18	PHOTO 10/05
	Platanus racemosa	Texas Ebony	24" Box / 36" Box	5	
	Prosopis juliflora	Chilean Mesquite	24" Box	22	
	Quercus virginiana	Southern Live Oak	24" Box / 36" Box	10	
	Ulmus parvifolia	Chinese Elm	24" Box	47	
			5 Gallon	435	
			5 Gallon	255	
			1 Gallon	470	

LANDSCAPE AREA TOTALS:
 TOTAL LANDSCAPE AREA = 64,885 SQ.FT.
 ON-SITE LANDSCAPE AREA = 40,865 SQ.FT.
 ROW LANDSCAPE AREA = 5,120 SQ.FT.
 TURF AREA = 23,900 SQ.FT.

- RECOMMENDED PLANT PALETTE**
- SHRUBS:**
 Bougainvillea spp.
 Calliandra callicarpa
 Desmodium illinoense
 Eriosema yunnanense
 Lantana camara
 Ruellia brittaniana
 Ruellia peruviana
 Tecoma x 'Orange Jubilee'
- ACCENTS:**
 Agave 300
 Aloe 300
 Dahlia
 Hesperaloe parviflora
 Hesperaloe parviflora
 Muhlenbergia capillaris
 Muhlenbergia rigida
- GROUNDCOVERS:**
 Lantana camara
 Lantana camara
 Pennisetum setaceum
 Pennisetum setaceum
 Pennisetum setaceum
 Pennisetum setaceum



VICINITY MAP

RESIDENTIAL DEVELOPMENT
 MAPLEWOOD STREET AND VINE STREET
 CHANDLER AZ

6 MAY 05
 REVISED 1-6-06

LANDSCAPE IMPROVEMENTS REQUIREMENT CALCULATIONS:

FOR SINGLE FAMILY RESIDENTIAL DEVELOPMENTS:

COMMON OPEN SPACE/RETENTION BASINS: A MINIMUM OF 1 TREE AND 6 SHRUBS PER 500 SQ. FT. OF OPEN SPACE PLUS SUCH ADDITIONAL VEGETATIVE GROUND COVER, INCLUDING TURF, NEEDED TO COVER A MINIMUM OF 50% OF THE TOTAL LANDSCAPED AREA WITH SHRUBS ON GROUND COVER.

AREA OF COMMON OPEN SPACE/RETENTION: 64,765 SQ. FT. / 500 SQ. FT. = 130 X 6 SHRUBS = 780 SHRUBS REQUIRED AND 130 TREES REQUIRED.

ARTERIAL AND COLLECTOR STREET RIGHT-OF-WAY: ARTERIAL AND COLLECTOR STREET RIGHT-OF-WAY ADJACENT TO AND WITHIN SINGLE FAMILY RESIDENTIAL DEVELOPMENTS SHALL BE LANDSCAPED AT A RATE OF 1 TREE AND 6 SHRUBS PER 30 L.F. PLUS ADDITIONAL SHRUBS AND VEGETATIVE GROUND COVER, EXCLUDING TURF WHICH IS PROHIBITED WITHIN STREET RIGHT-OF-WAY, NECESSARY TO COVER A MINIMUM OF 50% OF THE TOTAL LANDSCAPED AREA WITH SHRUBS AND GROUND COVER.

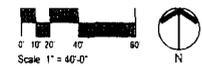
LINEAR FEET OF R.O.W. APPROX. : 1,405 L.F. / 30 L.F. = 46.83 X 6 SHRUBS = 281 SHRUBS REQUIRED AND 47 TREES REQUIRED.

REQUIRED: 1061 SHRUBS AND 177 TREES

PROVIDED: 1,113 SHRUBS (113 5-GAL. SHRUBS; 250 5-GAL. ACCENTS; 450 1-GAL. SHRUBS)
 141 TREES (12 15-GAL. TREES; 97 24" BOX TREES; 12 36" BOX TREES)
 23,900 SQ.FT. TURF

MINIMUM PLANTING SIZES:
 TREES FOR NON-COMMERCIAL DEVELOPMENTS SHALL BE SIZED: 50% OF REQUIRED TREES TO BE 15 GALLON; 50% OF REQUIRED TREES TO BE 24" BOX. SHRUBS SHALL BE 5-GALLON; GROUND COVER SHALL BE 1-GALLON, AND VINES SHALL BE 1-GALLON.

PRELIMINARY
 NOT FOR
 CONSTRUCTION



L-2
 CONCEPTUAL PLANTING PLAN
 GB-05-001 Number: 155/19

APPROVED BY
CHANDLER CITY COUNCIL

FEB 23 2006

CITY CLERK'S OFFICE

#5
FEB 23 2006

ORDINANCE NO. 3764

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM AG-1 TO PAD (DVR05-0009 MAPLEWOOD COURT) 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 "MAPLEWOOD COURT", kept on file in the City of Chandler Planning Services Division, in File No. DVR05-0009, except as modified by condition herein.
2. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.

3. 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.
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. 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.
6. The covenants, conditions and restrictions (CC & R's) to be filed and recorded with the subdivision shall mandate the installation of front yard landscaping within 180 days from the date of occupancy with the homeowners' association responsible for monitoring and enforcement of this requirement.
7. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or a homeowners' association.
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. Lots 1 through 11, 20 and 21 shall be constructed with single story homes only. No second story elements such as raised sun porches, balconies, or split stories shall be allowed.
10. No south facing balconies shall be allowed on lot 22
11. All homes built on corner lots within the residential subdivision shall be single story.
12. When two-story homes are built on adjacent lots, a 20-foot separation shall be provided between homes.
13. No more than two two-story homes may be built in a row.

14. Lots 1-11 and 20-32 shall have increased rear yard setbacks of 25' for one-story homes and 35' for two-story homes.
15. 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.
16. A minimum of two trees at a minimum of 2-inch caliper each shall be planted in all front yards.
17. 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 Maplewood Court development shall use treated effluent to maintain open space, common areas, and landscape tracts.

18. Prior to the time of making any lot reservations or subsequent sales agreements, the home builder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the subdivision is located adjacent to existing ranchette and

animal privilege properties that may cause adverse noise, odors and other externalities. The "Public Subdivision Report", "Purchase Contracts", and CC&R's shall include a disclosure statement outlining that the site is adjacent to agricultural properties that have horse and animal privileges and shall state that such uses are legal and should be expected to continue indefinitely. This responsibility for notice rests with the home builder/lot developer, and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.

- 19. The minimum pavement width for half street improvements on both Maplewood Street and Vine street is 24 feet.
- 20. The 10-foot tall towers at the entry monument sign shall be lowered to a height consistent with the scale of the perimeter theme wall.
- 21. The split face courses on the primary theme wall shall be relocated to the wall's top half.

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 ____ day of _____, 2006.

ATTEST:

_____	_____
CITY CLERK	MAYOR

PASSED AND ADOPTED by the City Council this ____ day of _____, 2006.

ATTEST:

_____	_____
CITY CLERK	MAYOR

CERTIFICATION

I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 3764 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the _____ day of _____, 2006, and that a quorum was present thereat.

CITY CLERK

APPROVED AS TO FORM:

 GAB
CITY ATTORNEY

PUBLISHED: