



Chandler · Arizona
Where Values Make The Difference



MEMORANDUM

Planning Division – PZ Memo No. 16-081

DATE: NOVEMBER 2, 2016

TO: PLANNING AND ZONING COMMISSION

THRU: JEFF KURTZ, PLANNING ADMINISTRATOR
KEVIN MAYO, PLANNING MANAGER *KM*

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

SUBJECT: DVR16-0023 RANCHO BERNARDO

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 56th Street and Chandler Boulevard

Applicant: Brennan Ray, Burch & Cracchiolo, P.A.

Project Info: Approximately 0.7 acres, a 4,250 square foot retail on commercial zoned property

RECOMMENDATION

Planning Staff, upon finding the request to be consistent with the General Plan, recommends approval subject to conditions.

EXTENSION OF THE TIMING CONDITION

The approximately 0.7 net acre subject site is located at the southwest corner of 56th Street and Chandler Boulevard. City Council approved rezoning this subject site from AG-1 (Agricultural District) to Planned Area Development (PAD) for Community Commercial (C-2) uses with a two-year construction time limit condition in June 2002. There have been several three-year time extensions approved by Council since the original rezoning case expired on June 22, 2004. The time extensions occurred in 2004, 2008, 2011, and 2013, with the last approval expiring on June 22, 2016. Time limits are calculated from the previous zoning approval's expiration date, not the Council meeting date. The Preliminary Development Plan (PDP) included site layout and building design for a 4,250 square foot commercial retail building.

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

The subject 0.7 net acre parcel received approval of PAD zoning with a PDP for the construction of an employment supportive commercial retail development. The retail use was intended to support future development of the Planned Industrial District (I-1) zoned parcel surrounding the site. The original rezoning ordinance includes a condition prohibiting restaurant, office, and high-turnover commercial uses. To maintain compatibility with the future industrial uses, the building was designed with a high-tech industrial theme. The building is placed in a landscaped setting at the intersection.

This application does not seek to modify the previously approved land use, site, or building design, but only to extend the timing condition for an additional three years. Bashas' Inc. purchased the subject parcel in 2003; 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. Planning Staff has no concerns with the approved conditions. A copy of the original approved ordinance is attached.

DISCUSSION

Planning Staff is in support of time extension request for an additional three years, which extends the PAD zoning until June 22, 2019. Planning Staff is of the opinion that the retail land use is a supportive use to a larger industrial development and remains appropriate for this site.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood notification letter was mailed in lieu of a meeting due to no residential property in the notification area.
- As of the writing of this memo, Planning Staff is not aware of any opposition or concerns with this request.

RECOMMENDED ACTION

Rezoning

Planning Staff recommends Planning Commission motion to recommend approval of DVR16-0023 RANCHO BERNARDO, to extend the timing condition for three years with all of the conditions in the original approval remaining in effect.

PROPOSED MOTION

Rezoning

Motion Planning Commission to recommend approval of rezoning request DVR16-0023 RANCHO BERNARDO extending the timing condition for an additional three years, in which

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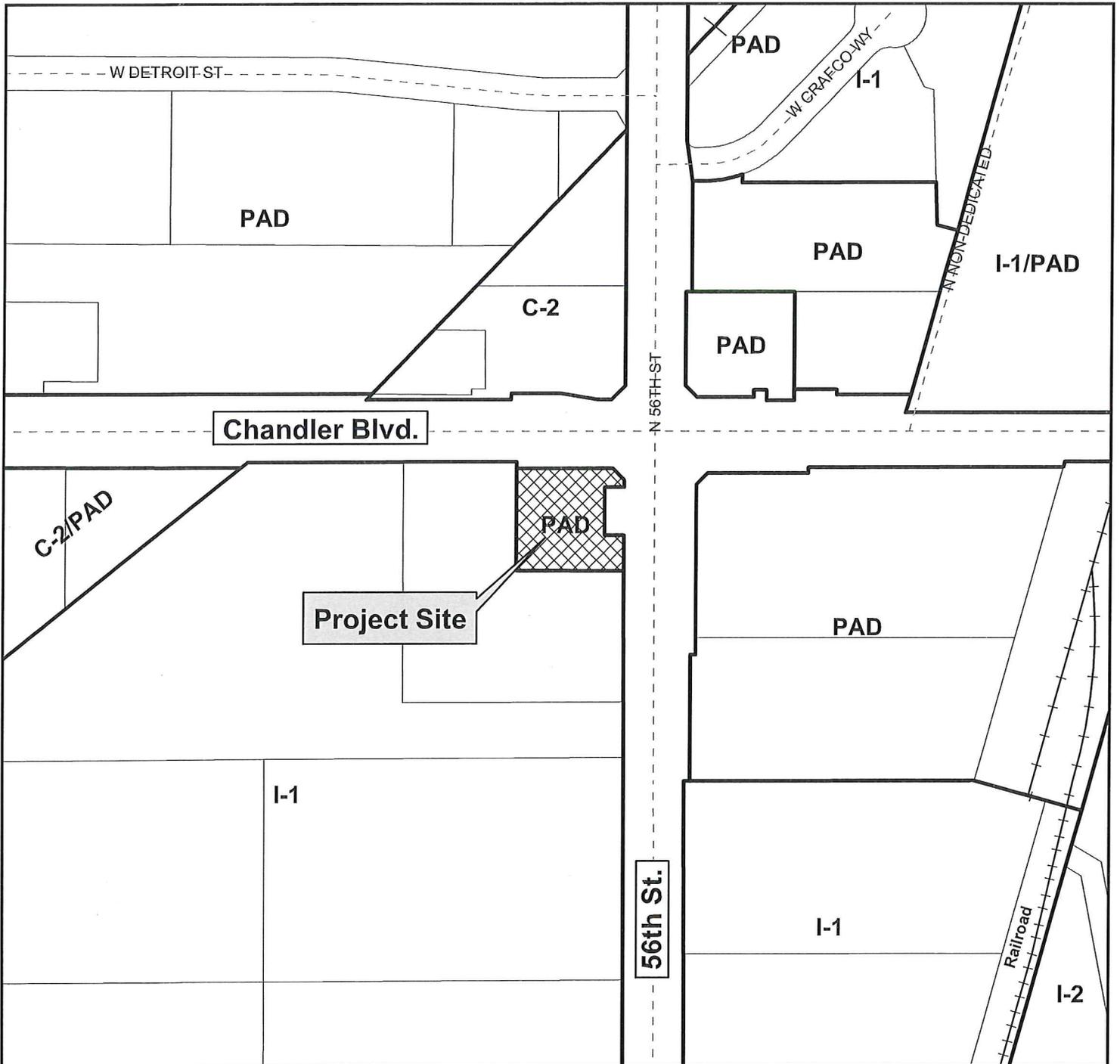
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November 2, 2016

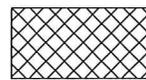
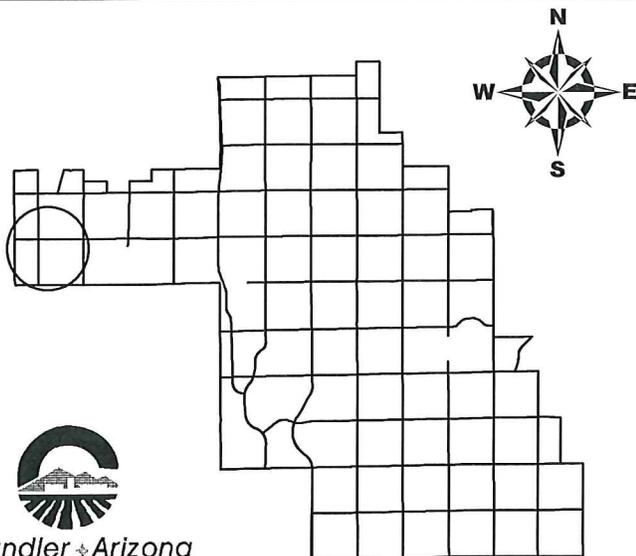
the zoning would be in effect until June 22, 2019, and will all of the conditions in the original approval remaining in effect as per Ordinance No. 3366.

Attachments

1. Vicinity Maps
2. Site Plan
3. Landscape Plan
4. Building Elevations
5. Ordinance No. 3366, DVR01-0031

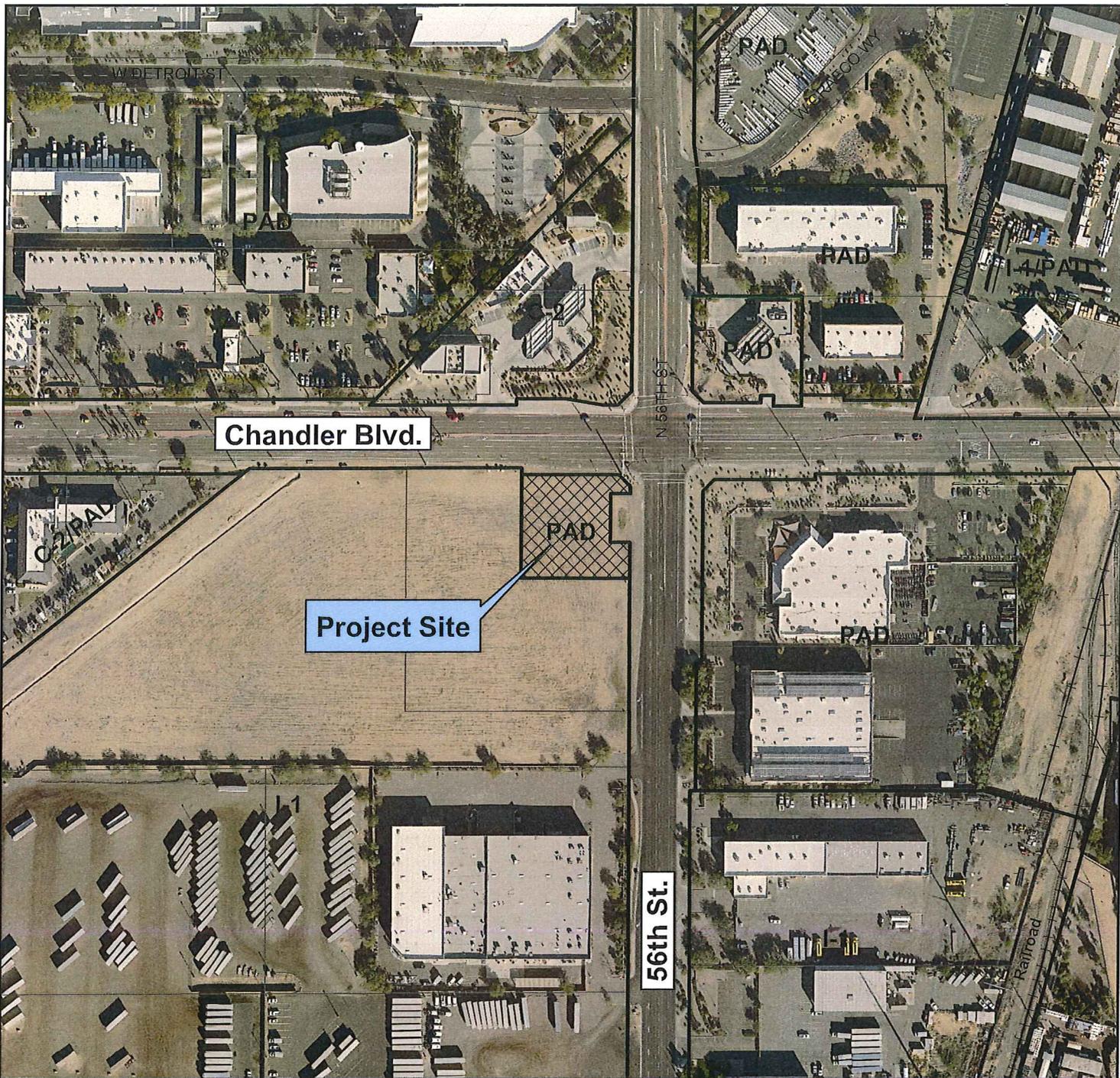


Vicinity Map



DVR16-0023

Rancho Bernardo

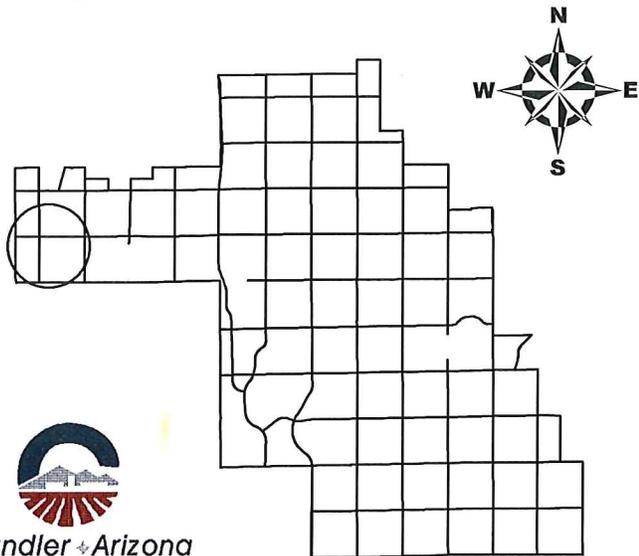


Chandler Blvd.

Project Site

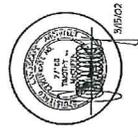
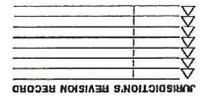
56th St.

Vicinity Map



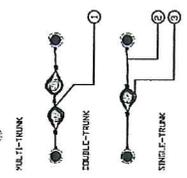
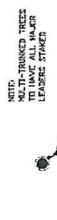
DVR16-0023

Rancho Bernardo



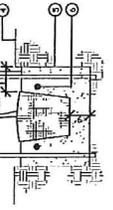
RANCHO BERNARDO
CHANDLER BOULEVARD & CHANDLER, ARIZONA

Date:	3-15-02
Scale:	1" = 20'-0"
Sheet:	L-1
Job:	A001



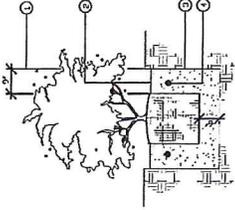
- 1. NOTCH TUBING LOOP
- 2. WIRE TIE/STRAP
- 3. 1/2" WIRE RIBBON
- 4. 1/2" RUBBER WEDGE

TREE GUYING DETAIL



- 1. 1/2" WIRE RIBBON WITH 1/8" WIRE
- 2. 1/2" WIRE RIBBON WITH 1/8" WIRE
- 3. TREE STAKES BURY 3" BELOW GRADE
- 4. 2" WOODEN
- 5. 2" WOODEN
- 6. 2" WOODEN
- 7. 2" WOODEN
- 8. 2" WOODEN
- 9. 2" WOODEN
- 10. 2" WOODEN

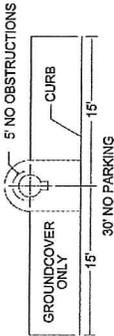
DOUBLE STAKING DETAIL



- 1. MINIMUM DIMENSION TREE 3 GAL. PLANT:
- 2. 1/2" WIRE RIBBON WITH 1/8" WIRE
- 3. RUBBER WEDGE
- 4. 1/2" WIRE RIBBON
- 5. 1/2" RUBBER WEDGE

SHRUB PLANTING DETAIL

CLEARANCE AROUND FIRE HYDRANTS.
A CLEAR SPACE OF 5' SHALL BE MAINTAINED AROUND FIRE HYDRANTS. CURBS SHALL BE PAINTED BRILLIANT RED.



LANDSCAPE NOTES:

ALL PLANT MATERIALS ARE GUARANTEED FOR A 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 OF WHICH THEY ARE INSTALLED, SHALL BE FURTHER GUARANTEED UNTIL MAY 20 OF THE FOLLOWING CALENDAR YEAR.

TREES, SHRUBS, GROUND COVER AND TURF WHICH HAVE TO BE REPLACED UNDER TERMS OF THE GUARANTEE, SHALL BE GUARANTEED FOR AN ADDITIONAL 60 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.

PARKING LOT TREES ARE TO HAVE A MINIMUM CLEAR CANOPY DISTANCE OF FIVE (5) FEET. THE FINISH GRADE TOP OF GRANITE IS TO BE 1 1/2" BELOW THE TOP OF SIDEWALKS OR ANY OTHER PAVED SURFACE.

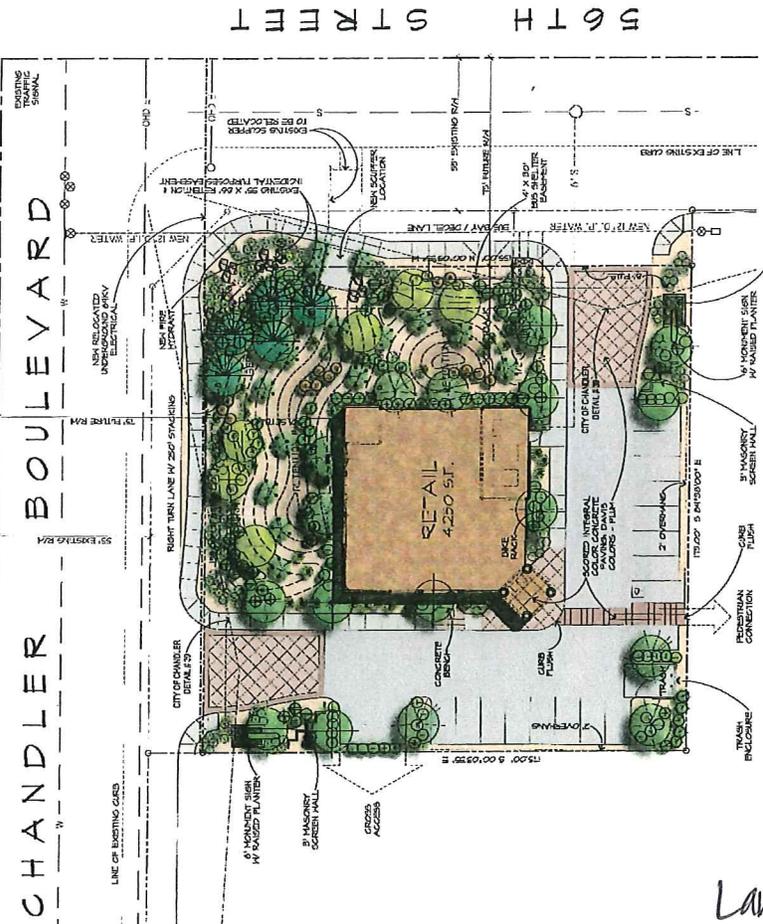
ALL SITE IMPROVEMENTS, INCLUDING LANDSCAPE AND SITE CLEANUP MUST BE COMPLETED PRIOR TO CERTIFICATE OF OCCUPANCY FOR ANY BUILDING WITHIN A PHASE.

ALL TREES SHALL COMPLY WITH THE LATEST AMENDED EDITION OF THE ARIZONA NURSERY ASSOCIATION RECOMMENDED TREE SPECIFICATIONS. SEE SECTION 1903(6) (A) ZONING CODE.

THERE SHALL BE NO OBSTRUCTION OF SITE SIGNAGE BY LANDSCAPE PLANT MATERIAL, AND THAT SUCH MUST BE RELOCATED/CORRECTED BEFORE THE FIELD INSPECTOR WILL ACCEPT/PASS THE SIGN IN THE FIELD OR ISSUE AN CERTIFICATE OF OCCUPANCY FOR A PROJECT.

I HEREBY CERTIFY THAT NO TREE OR BOLLIDER IS DESIGNED CLOSER THAN SIX (6) FEET TO THE FACE OF STREET CURB.

REGISTERED LANDSCAPE ARCHITECT DATE 3/15/02



LANDSCAPE LEGEND

PLANT	HEIGHT	WIDTH	DIAMETER	QTY	CITY
ERIODIUM FRAXIOSUM	7.0	4.0	1.50	5	01
SONDRUM PALM VARIETY	24" BOX (MATCHING)				02
ACACIA SALICINA	8.0	4.0	1.50	8	03
YELLOW ACACIA	24" BOX				04
ELAEAGNUS PARVIFLORA	8.0	3.0	1.25	10	05
EVERGREEN ELM	24" BOX				06
PROPERA CHILSENSIS	6.0	2.0	0.75	7	07
PROPERA CHILSENSIS (THORNLESS)	6.0	2.0	0.75	7	08
LEUCOCYLLUS FRUTICOSUS	6.0	4.0	1.50	5	09
DRYER CLOUD	6.0	4.0	1.50	5	10
CASIA PHYLOENA	6.0	4.0	1.50	5	11
DESERT CASSIA	6.0	4.0	1.50	5	12
RUPELLIA PENINSULARIS	6.0	4.0	1.50	5	13
ELAEAGNUS PARVIFLORA	6.0	4.0	1.50	5	14
MEXICAN BIRD OF PARADISE	6.0	4.0	1.50	5	15
CASUALINA MEXICANA	6.0	4.0	1.50	5	16
HERIPALAE PARVIFLORA	6.0	4.0	1.50	5	17
HERIPALAE PARVIFLORA	6.0	4.0	1.50	5	18
MULBERRIFERA RICHENS	6.0	4.0	1.50	5	19
REGINARIA OFFICINALIS	6.0	4.0	1.50	5	20
ADONIS REPENS	6.0	4.0	1.50	5	21
ADONIS REPENS	6.0	4.0	1.50	5	22

LANDSCAPE PLAN
SCALE: 1" = 20'-0"

ORDINANCE NO. 3366

OFFICIAL FILE COPY
CITY OF CHANDLER
CITY CLERK

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM AG-1 (AGRICULTURAL) to PAD (RETAIL) (DVR01-0031 RANCHO BERNARDO) 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 Exhibit "A" attached.

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

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Rancho Bernardo" kept on file in the City of Chandler Planning Services Division, in File No. DVR01-0031, except as modified by condition herein.
2. Right-of-way dedications to achieve full half widths for Chandler Boulevard and 56th Street, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
3. Construction shall commence above foundation walls 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.
4. Undergrounding 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. 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.
6. 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.
7. 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.
8. 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

Ord. 3366, DVR01-0031

pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.

9. The tree sizes along the arterial street shall include a minimum mix of 50%- 24" box, 25%- 36" box, and 25%- 48" box trees.
10. Restaurant, office and all high turnover commercial uses shall be prohibited on the subject site. Approval of any use, which cannot be readily determined as a retail use, shall be subject to a zoning amendment to be approved by Planning Commission and City Council.

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 9th day of May 2002.

ATTEST:

Caryn Bevan
CITY CLERK

Jay Zisk
MAYOR

PASSED AND ADOPTED by the City Council this 23rd day of May 2002.

ATTEST:

Caryn Bevan
CITY CLERK

Jay Zisk
MAYOR

CERTIFICATION

I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 3366 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the 23rd day of May 2002, and that a quorum was present thereat.

Caryn Bevan
CITY CLERK

APPROVED AS TO FORM:

Tom A. Palmer, Assistant City Attorney
CITY ATTORNEY

PUBLISHED:

5/29/02
6/5/02

Exhibit "A"

Ordinance No. 3366
Exhibit "A"

LEGAL DESCRIPTION

NO. 226-948-1313724

The North 250 feet of the East 250 feet of the Northeast quarter of Section 32, Township 1 South, Range 4 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.



WECKERLY & ASSOCIATES

SURVEYORS---ENGINEERS

337 N. ARIZONA AVENUE

CHANDLER, ARIZONA

480-963-6481