



**MEMORANDUM**                      **Transportation & Development – CC Memo No. 11-071**

**DATE:**            JUNE 27, 2011

**TO:**                MAYOR AND CITY COUNCIL

**THRU:**            RICH DLUGAS, CITY MANAGER *R. Dlugas*  
                         PATRICK MCDERMOTT, ASSISTANT CITY MANAGER *PM*  
                         R.J. ZEDER, TRANSPORTATION & DEVELOPMENT DIRECTOR *RJZ*  
                         JEFF KURTZ, PLANNING ADMINISTRATOR *JK*  
                         KEVIN MAYO, PLANNING MANAGER *KM*

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

**SUBJECT:**        DVR11-0014 CHANDLER CENTER COMMONS  
                         Introduction and tentative adoption of Ordinance No. 4316

**Request:**            Amend Planned Area Development (PAD) zoning to allow day care uses and Preliminary Development Plan (PDP) approval to modify the site layout

**Location:**            5500-5590 W. Chandler Boulevard, approximately ½ mile east of Kyrene Road

**Applicant:**            Will Architects, PLC

**Owner:**              Chandler Commerce Center, LLC

**Zoning:**              Planned Area Development (PAD)

**RECOMMENDATION**

Planning Commission and Staff, finding consistency with the General Plan, recommend approval of the rezoning and Preliminary Development Plan (PDP), subject to conditions.

**BACKGROUND**

The application requests amendment of existing Planned Area Development (PAD) zoning to allow day care uses in addition to the currently allowed general office and light industrial uses that were approved with the 2006 zoning. Additionally, the application requests PDP approval to modify the site layout in order to accommodate an outdoor playground.

The site is fully developed with 10 single-story buildings on an approximately 12-acre parcel located between an Intel campus and an office park along the north side of Chandler Boulevard. An industrial park is north of the subject site. The subject site received PAD zoning approval in 2006 for office and light industrial uses. A charter high school, which is allowed by-right in all zoning districts due to state law, occupied two buildings in the site's northwest portion in Fall 2010.

The request is driven by a day care tenant that will occupy the entirety of a 12,000 square foot building in the southwest portion of the site (Building B). The only change to the site plan is that an outdoor playground would be constructed to accommodate the day care tenant. The playground is proposed to displace parking and a drive aisle west of the building along the shared property line with the office development to the west. The nearest office building to the west is approximately 85' from the proposed playground. An 8'-high wall would surround the playground (where not contiguous with the building) and additional trees would be planted to complement the existing mature trees along the western property line. Planning Commission and Staff recommend a condition that would require adding a softer surface to the playground area, such as rubber mats or artificial turf, that serves to soften the noise impact. Such a surface is reportedly required to meet state day care standards, but the condition will ensure that the city's interests are also met.

In response to neighbor concerns with potential noise generated by the requested day care use, the applicant has commissioned an acoustic study. The main conclusion of the study is that the day care use will not cause a negative noise impact to the area. The study summary is attached for further reference.

The site continues to provide sufficient parking for the requested mix of office, industrial, and day care uses with 585 spaces. With a day care in Building B and the existing high school in Buildings I & J, the site would require approximately 509 spaces if all other spaces were occupied by office uses, which are the most intense in terms of Zoning Code parking requirements. Even if all buildings became 100% occupied by office uses, only 535 spaces would be required.

The requested playground location does not prevent the efficient circulation of vehicular traffic on the site. The displaced drive aisle is superfluous – traffic can easily re-route through one of several other drive aisles located east of Building B. Pick-up/drop-off circulation associated with the day care can also be efficiently handled by existing driveway alignments and a sizable parking field to the building's east and north.

### **DISCUSSION**

The requested addition of day care uses is appropriate at this location with office, light industrial, and high school uses. Though light industrial uses can sometimes present a conflict with day care uses due to truck traffic and hazardous materials, those are much lesser concerns in this location with no large truck docks and an existing high school – the development is much more oriented toward office and potentially “flex” manufacturing uses. Separation of hazardous

materials from day care uses is also addressed by Building Code. There are not issues with sufficient parking, as is sometimes the case in other similar mixed use developments. Noise generated by traffic on Chandler Boulevard will somewhat mask any noise created by children using the day care playground, thereby minimizing the impact on office neighbors to the west. The 8'-high wall surrounding the playground will combine with mature landscaping and additional trees to minimize any visual impact on neighbors to the west.

#### **PUBLIC/NEIGHBORHOOD NOTIFICATION**

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held June 1, 2011 at the Hawthorne Suites Hotel one block to the west on Chandler Boulevard. One neighboring office condo owner to the west (a CPA business) attended to discuss concerns regarding parking not spilling over into her complex and any new landscaping being properly maintained. The applicant agreed that such spillover parking should not occur and that the landscaping should all be properly maintained.
- The developers of the offices to the west, who still control the property owners' association and many of the office condos, are concerned about the potential noise effects from a day care, but are tentatively satisfied with the recommended conditions.
- Though the two neighbors noted above have concerns, Staff is not aware of any opposition to the 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 of rezoning and PDP in case DVR11-0014 CHANDLER CENTER COMMONS subject to the following conditions:

1. Substantial conformance with application materials kept on file in the City of Chandler Planning Division, in File No. DVR11-0014, except as modified by condition herein.
2. Compliance with original conditions adopted by the City Council as Ordinance No. 3770 in case DVR05-0030 SILAGI CHANDLER COMMERCE CENTER, except as modified by condition herein.
3. The playground perimeter wall shall utilize materials drawn from the adjacent building architecture and shall include several staggers per the submitted site plan so as to break up its linear appearance.
4. Landscaping in and adjacent to the playground area shall be maintained at a level consistent with or better than at the time of planting.

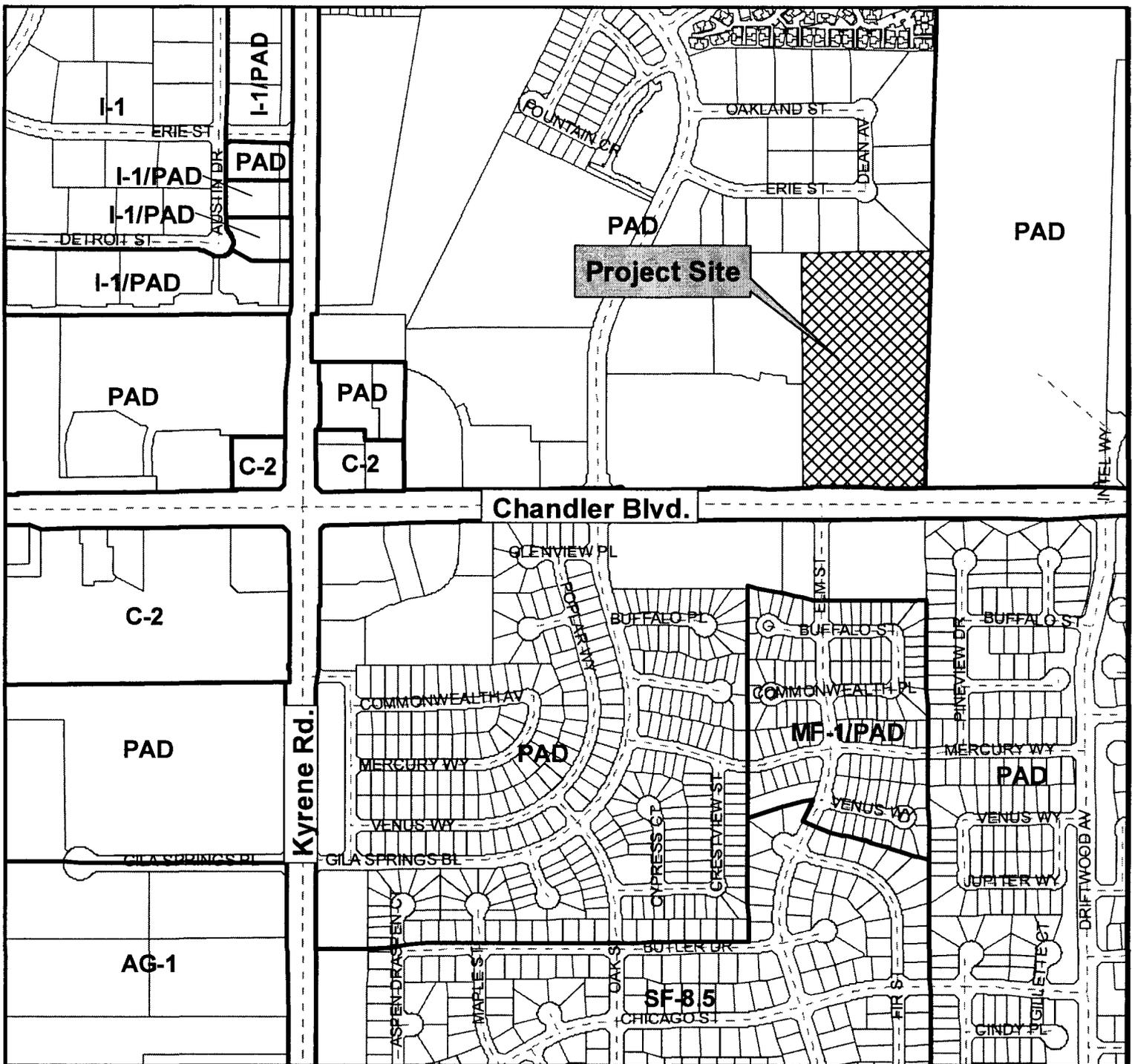
5. The playground surface shall be mostly covered with rubber mats, wood chips, artificial turf, or other materials that serve to soften the noise effect as compared to concrete or asphalt.
6. Trees shall be added along the western property line as practical to allow additional screening.

**PROPOSED MOTION**

Move to introduce and tentatively adopt Ordinance No. 4316 approving rezoning and PDP in case DVR11-0014 CHANDLER CENTER COMMONS subject to the conditions recommended by Planning Commission and Staff.

**Attachments**

1. Vicinity Maps
2. Aerial Close-up
3. Site Plan
4. Floor Plan of Building B
5. Narrative
6. Acoustic Study
7. Ordinance No. 4316
8. Ordinance No. 3770

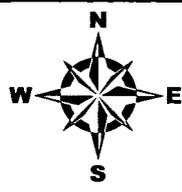
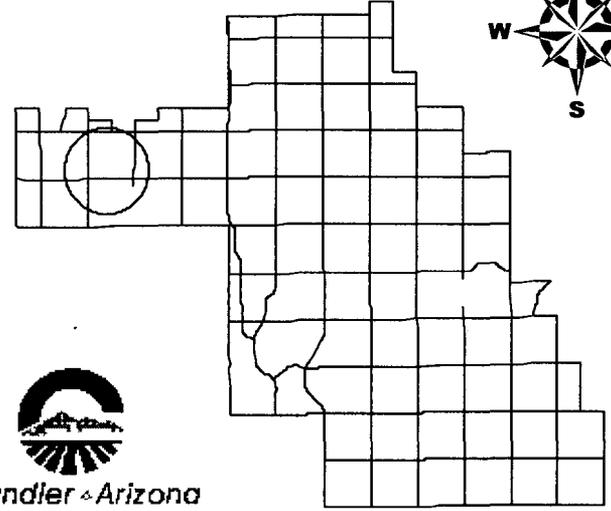


**Project Site**

**Chandler Blvd.**

**Kyrene Rd.**

**Vicinity Map**

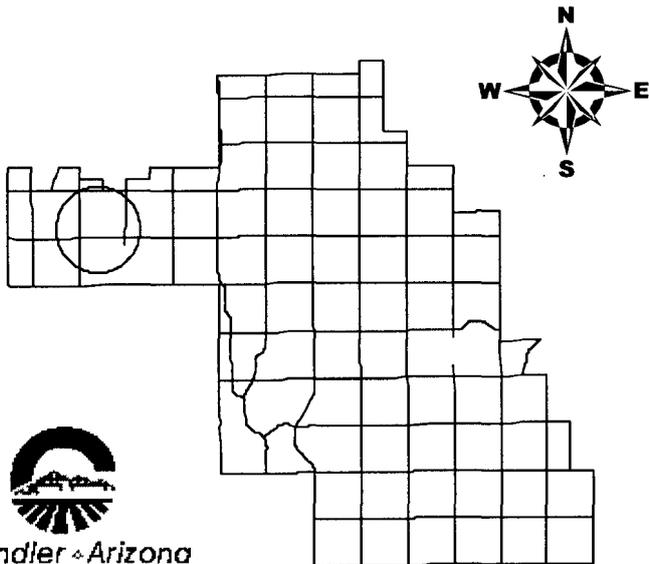


**DVR11-0014**

**Chandler Center Commons**



## Vicinity Map



DVR11-0014

**Chandler Center Commons**



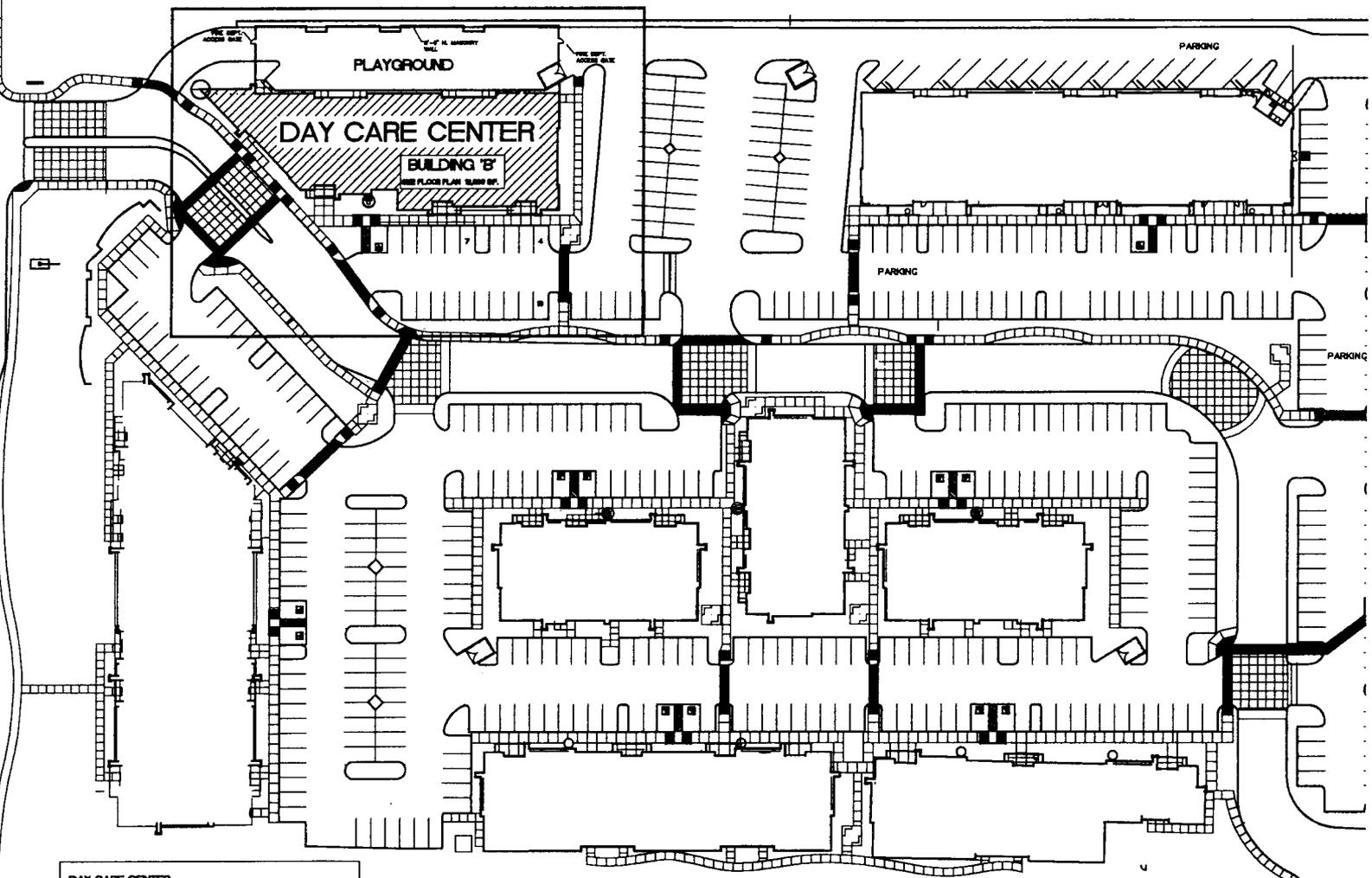
Chandler • Arizona  
*Where Values Make The Difference*

CITY OF CHANDLER 5/4/2011

# County Parcels



CHANDLER BOULEVARD



**DAY CARE CENTER**  
 8890 WEST CHANDLER BLVD.  
 CHANDLER ARIZONA

PARKING REQUIRED:

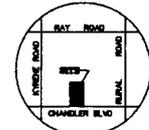
OFFICE & NURSES STATION 412 S.F. / 200 = 3 SPACES  
 DAY CARE ROOMS: 12 x 1 = 12 REQUIRED SPACES

TOTAL REQUIRED: = 15 SPACES

TOTAL PROVIDED: = 21 SPACES

**REZONING SITE PLAN**

SCALE: 1" = 30'



**VICINITY MAP**

**WILL**  
 ARCHITECTS

OFFICE: (480) 947-1117  
 FAX: (480) 947-3844  
 www.willarchitects.com

4301 E. University Dr.  
 Suite 100  
 Phoenix, Arizona 85032



SUBJECT DEVELOPMENT & MANAGEMENT  
 DAY CARE CENTER TENANT IMPROVEMENT

CHANDLER CENTERS CONDOMS  
 8890 WEST CHANDLER BLVD  
 CHANDLER, ARIZONA

PROJECT NUMBER  
 11017

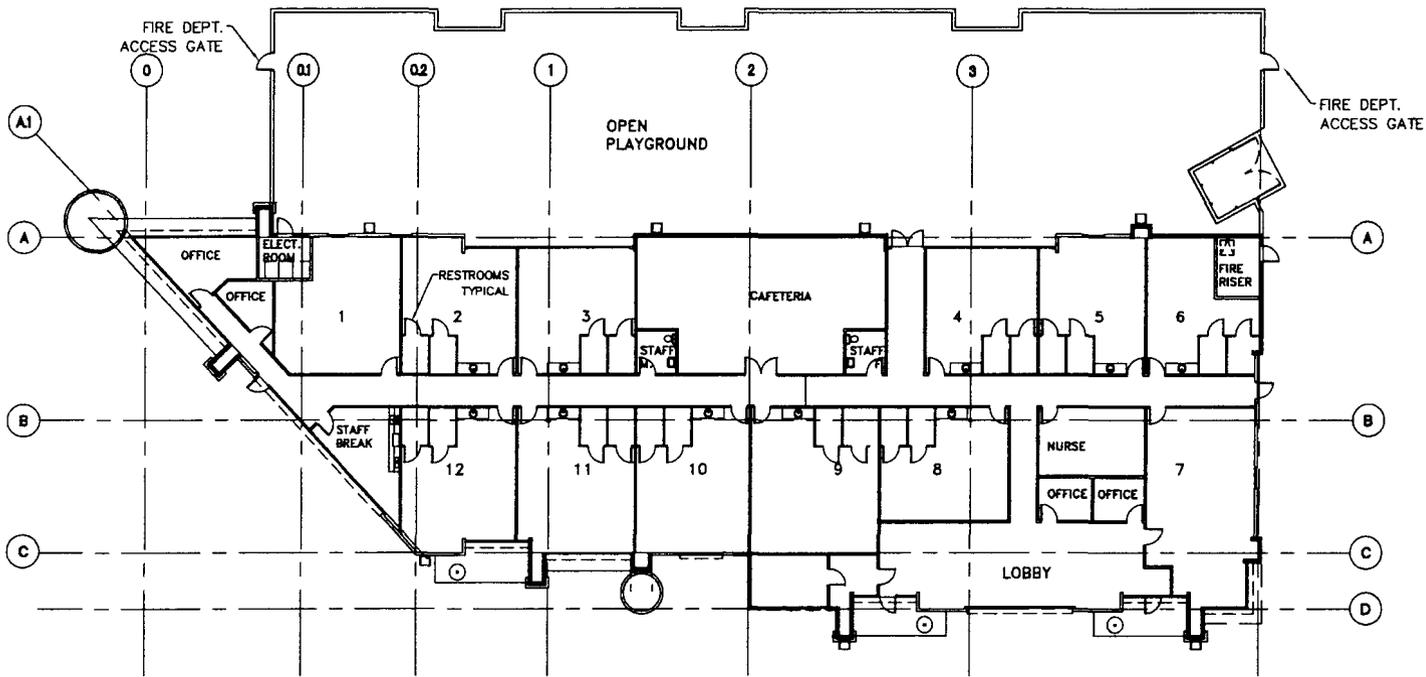
NOT SCALE  
 AS NOTED

DATE  
 10010-A0.0

DATE  
 04-29-2011

**SITE PLAN**

**A00**



CONCEPTUAL FLOOR PLAN

SCALE

1/32" = 1'-0"



**WILL**  
 ARCHITECTS  
 OFFICE: (408) 987-1177  
 FAX: (408) 987-2824  
 www.willarchitects.com  
 4828 E. University Ave.  
 Phoenix, Arizona 85018



BELAJI DEVELOPMENT & MANAGEMENT  
 DAY CARE CENTER TENANT IMPROVEMENT  
 CHANDLER CENTER COMMONS  
 8800 W. WYOMING & CHANDLER BLVD  
 CHANDLER, ARIZONA

PROJECT NUMBER	11017
DATE	AS NOTED
REVISION	11017-A2.0
DATE	04-28-2011

FLOOR PLAN

A2.0



# Rezoning Narrative

## Day Care Center

### Chandler Center Commons

5500 – 5590 West Chandler Blvd., Chandler, AZ

The project which is located in the Chandler Center Commons consist of one (1) shell building, Building B, address; 5510 W Chandler Blvd. for a Day Care Center. The building is currently zoned I-1 PAD and will require a zoning use change for the Day Care Center. See the attached rezoning application.

The Day Care Center which consists of approximately 12,063 S.F. will be an autonomous operation and will contain all functions in Building B only. All of the required parking for the Day Care Center is indicated on the attached site plan and provides more parking than is required by code for this use. Additionally, the parking for the rest of the office buildings in the park has not been affected and, in fact, this proposed use provides additional parking for the remainder of the office buildings. The exterior character of the building will not be modified and will be maintained as currently built. The only site modifications would be the addition of a walled playground area of approximately 10,000 sf located on the west side of building B which was zero visibility from the rest of the park. The playground area, as required by the State, will be completely surrounded by an 8' high CMU wall so that activities will not be visible to the adjacent properties.

The project which is adjacent to the Intel Facility on Chandler Blvd. will provide an opportunity for parents to locate their children in an excellent, nationally established and recognized Day Care Center which will include infants and pre-school children.

480.967.1117

F - 480.967.3804

4636 E. University Dr.

Suite 270

Phoenix, AZ 85034

[www.willarchitects.com](http://www.willarchitects.com)



LICENSE#: ROC083557L-67

## ENVIRONMENTAL ACOUSTIC REPORT

June 14, 2011

**Will Architects, PLC**  
4636 E. University Dr.  
Phoenix, AZ 85034  
P. 480.967.1117  
F. 480.967.3804  
E. jeffwill@willarchitects.com

Re: Chandler Center Commons  
Day Care Center  
5590 W. Chandler Blvd.  
Bldg. B, Chandler, Arizona

### General.

This acoustic study was done to determine whether or not the local site area or buildings, in the Commons and adjacent property to the west, would be negatively impacted with noise with the introduction of an outdoor playground area, as part of a Day Care Center, for children 6 years of age and under.

### Findings.

- Chandler Blvd. traffic noise measured at average distance to the playground wall = 52.1 dB. (see attached exhibits A-1 and A-2).
- The recommended 8' CMU wall surrounding the playground area will reduce any direct or diffracted sounds by approximately 8 dB. (see attached exhibit-B).
- WCA determined that the average sound level associated with a relatively small group of children (up to 40 children) at play, is approximately 55 dB, measured at an average distance of 20'. (Note that as a reference, two adults in normal non-projected conversation = 60 dB, measured at 2 feet).

### Summary.

Given the relatively low sound levels associated with very young children playing in a controlled area buffered by an 8' CMU wall (reducing the children's combined noise to an average level in the mid-40dB range), then masked by area environmental 50 dB plus traffic noise, in the opinion of WCA, this condition will not cause a negative noise impact to the area. It is predicted, for the most part, that people working in the area will be unaware that this facility exists.

Respectfully submitted,

WCA – Bruce Wardin – Acoustic Consultant

**ORDINANCE NO. 4316**

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM PLANNED AREA DEVELOPMENT (PAD) TO PAD AMENDED (DVR11-0014 CHANDLER CENTER COMMONS) 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 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 PAD to PAD Amended, subject to the following conditions:

1. Substantial conformance with application materials kept on file in the City of Chandler Planning Division, in File No. DVR11-0014, except as modified by condition herein.
2. Compliance with original conditions adopted by the City Council as Ordinance No. 3770 in case DVR05-0030 SILAGI CHANDLER COMMERCE CENTER, except as modified by condition herein.
3. The playground perimeter wall shall utilize materials drawn from the adjacent building architecture and shall include several staggers per the submitted site plan so as to break up its linear appearance.

- 4. Landscaping in and adjacent to the playground area shall be maintained at a level consistent with or better than at the time of planting.
- 5. The playground surface shall be mostly covered with rubber mats, wood chips, artificial turf, or other materials that serve to soften the noise effect as compared to concrete or asphalt.
- 6. Trees shall be added along the western property line as practical to allow additional screening.

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 \_\_\_\_\_, 2011.

ATTEST:

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

\_\_\_\_\_  
MAYOR

PASSED AND ADOPTED by the City Council this \_\_\_\_ day of \_\_\_\_\_, 2011.

ATTEST:

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

\_\_\_\_\_  
MAYOR

**CERTIFICATION**

I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 4316 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2011, and that a quorum was present thereat.

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

APPROVED AS TO FORM:

  
\_\_\_\_\_  
CITY ATTORNEY

PUBLISHED:

## Legal Description

LOT 1, GILA SPRINGS INDUSTRIAL PARK, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 254 OF MAPS, PAGE 13;

EXCEPT THAT PART OF LOT 1, GILA SPRINGS INDUSTRIAL PARK, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 254 OF MAPS, PAGE 13, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH WEST CORNER OF SECTION 27, TOWNSHIP 1 SOUTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

THENCE NORTH 89 DEGREES 29 MINUTES 50 SECONDS EAST, A DISTANCE OF 1239.28 FEET TO FOUND BRASS CAP IN HAND HOLE AT THE INTERSECTION OF CHANDLER BOULEVARD AND GILA SPRINGS BOULEVARD;

THENCE CONTINUING NORTH 89 DEGREES 29 MINUTES 50 SECONDS EAST, A DISTANCE OF 110 FEET;

THENCE NORTH 00 DEGREES 30 MINUTES 22 SECONDS WEST, A DISTANCE OF 65 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 45 DEGREES 30 MINUTES 22 SECONDS WEST, A DISTANCE OF 14.35 FEET;

THENCE SOUTH 89 DEGREES 29 MINUTES 38 SECONDS WEST, A DISTANCE OF 30.00 FEET;

THENCE NORTH 45 DEGREES 27 MINUTES 33 SECONDS WEST, A DISTANCE OF 28.23 FEET;

THENCE NORTH 00 DEGREES 30 MINUTES 17 SECONDS WEST, A DISTANCE OF 30.00 FEET;

THENCE NORTH 45 DEGREES 30 MINUTES 07 SECONDS WEST, A DISTANCE OF 14.00 FEET;

THENCE NORTH 00 DEGREES 30 MINUTES 17 SECONDS WEST, A DISTANCE OF 446.05 FEET TO A POINT OF CURVATURE;

THENCE ALONG A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 259.05 FEET WITH A RADIUS OF 560.00 FEET;

THENCE NORTH 26 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 254.45 FEET TO A POINT OF TANGENCY;

THENCE NORTH 89 DEGREES 24 MINUTES 25 SECONDS EAST, A DISTANCE OF 648.13 FEET;

THENCE SOUTH 00 DEGREES 30 MINUTES 22 SECONDS EAST, A DISTANCE OF 995.58 FEET;

THENCE SOUTH 89 DEGREES 29 MINUTES 38 SECONDS WEST, A DISTANCE OF 750.57 FEET TO THE TRUE POINT OF BEGINNING.

**ORDINANCE NO. 3770**

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL PAD TO PAD AMENDED (DVR05-0030 SILAGI CHANDLER COMMERCE 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 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 PAD to PAD AMENDED, 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. 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.
4. The developer shall be required to install landscaping in the arterial street median(s) 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.

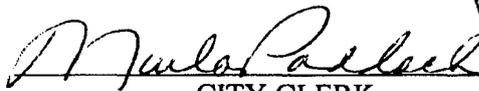
5. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.
6. 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.
7. 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.
8. Landscaping shall be in compliance with current Commercial Design Standards.
9. Approval by the Director of Public Works of the traffic study. Any improvements warranted by the study, in the opinion of the Public Works Director, shall be installed and constructed by the developer.
10. All cabinet signs shall be prohibited.

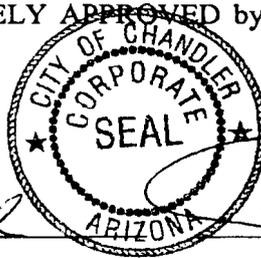
SECTION II. Except where provided, nothing contained herein shall be construed to be and abridgment of any other ordinance of the City of Chandler.

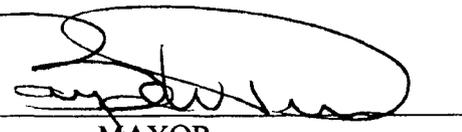
SECTION III. The Planning & Development Department of the City of Chandler is hereby directed to enter such changes and amendments as may be necessary upon the Zoning Map of said Zoning Code in compliance with this ordinance.

INTRODUCED AND TENTATIVELY APPROVED by the City Council this 23<sup>rd</sup> day of February 2006.

ATTEST:

  
CITY CLERK



  
MAYOR

PASSED AND ADOPTED by the City Council this 6<sup>th</sup> day of March 2006.

ATTEST:

  
CITY CLERK



  
MAYOR

**CERTIFICATION**

I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 3770 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the 6<sup>th</sup> day of March 2006, and that a quorum was present thereat.

  
CITY CLERK

APPROVED AS TO FORM:

  
CITY ATTORNEY

Published in the Tribune on March 22 & 29, 2006

## LEGAL DESCRIPTION

LOT 1, GILA SPRINGS INDUSTRIAL PARK, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 254 OF MAPS, PAGE 13;

EXCEPT THAT PART OF LOT 1, GILA SPRINGS INDUSTRIAL PARK, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 254 OF MAPS, PAGE 13, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH WEST CORNER OF SECTION 27, TOWNSHIP 1 SOUTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;  
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