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MEMORANDUM **Economic Development – Council Memo ED12-014**

DATE: NOVEMBER 7, 2011

TO: MAYOR AND CITY COUNCIL

THRU: RICH DLUGAS, CITY MANAGER
PAT MCDERMOTT, ASSISTANT CITY MANAGER
MARY WADE, CITY ATTORNEY

FROM: CHRISTINE MACKAY, ECONOMIC DEVELOPMENT DIRECTOR
GLENN A. BROCKMAN, ASSISTANT CITY ATTORNEY

SUBJECT: Adoption of Resolution No. 4552, finding and declaring a 16-acre parcel of real property at the southeast corner of the Price Freeway and Chandler Boulevard to be a slum area for which redevelopment is necessary in the interest of the public health, safety or welfare of the residents of the City of Chandler.

RECOMMENDATION: Staff recommends adoption of Resolution No. 4552, finding and declaring a 16-acre parcel of real property at the southwest corner of the Price Freeway and Chandler Boulevard to be a slum area for which redevelopment is necessary in the interest of the public health, safety or welfare of the residents of the City of Chandler.

BACKGROUND/DISCUSSION: The site at issue was once the site of Gould's manufacturing facility. The site is now owned by RG-101, LLC, and has been rezoned PAD for a significant office-retail development. It has been discovered that, despite several of Gould's above-ground facilities having been removed, there still remains in place several other underground and above-ground structures and improvements that significantly inhibit development of the site to its highest and best use. The Report prepared by Alan Beaudoin indicates that not only are the existing improvements degrading, their continued presence are a threat to health and public safety.

Staff has had an opportunity to review the Report. While the Report opines that conditions justify the site being found to be either a slum or blighted area, Staff believes it bests supports a finding that the site qualifies as a slum area. This is because, the

definitions of "slum area" and "blighted area," which are found at A.R.S. Sec. 36-1471 defines a blighted area as an area, *other than a slum area*, where sound municipal growth *and* the provision of housing accommodations is retarded. Regardless of how the site is characterized, however, Staff believes the nature of the detrimental site conditions is such that the incentives provided through redevelopment are necessary to cure such conditions.

The adoption of Resolution No. 4552 is a prerequisite to any redevelopment assistance provided by the municipality. The decision to adopt the Resolution No. 4552 is within Council's discretion provided that there is evidence in the record to support the decision. Adoption requires a two-thirds vote of Council. The findings required to be made by Council is set out in the Resolution, as are the specific factors that justify a finding that the site is a slum area. The specific factors needed to find the site is a slum area are set out in the Report.

Finally, a public hearing is being held prior to action on the resolution. The law requires written notice of the hearing be provided to the owner by first class mail to the address stated on the most recent records of the county assessor. This has been done and the landowner has provided written notice that the owner consents to the adoption of the resolution.

FINANCIAL IMPLICATIONS: No direct impact on City finances.

PROPOSED MOTION: Move to recommend the adoption of Resolution No. 4552, finding and declaring a 16-acre parcel of real property at the southeast corner of the Price Freeway and Chandler Boulevard to be a slum area for which redevelopment is necessary in the interest of the public health, safety or welfare of the residents of the City of Chandler.

GAB/

Attachments:

LVA urban design studio
land planning • landscape architecture

memorandum

to: Christine MacKay, Economic Development Director
City of Chandler

from: Alan Beaudoin, Principal
LVA Urban Design Studio

date: October 25, 2010

re: Redevelopment Analysis - 2929 West Chandler Boulevard (former Gould Manufacturing Facility)

As you are aware, our office has been retained to provide a third party analysis of the existing site conditions and their effect on future development of a property located at 2929 West Chandler Boulevard. The objective of this analysis is to determine if findings of slum or blighted conditions are present in accordance with Arizona Revised Statute 36-1471 and therefore appropriate for the declaration of a redevelopment area.

Accompanying this memo you will find three copies of an updated redevelopment analysis for your review. This document is intended to replace the previously redevelopment analysis that was sent to you on July 30,2010. If you have any questions regarding this document or require additional copies please contact me at your convenience.

Sincerely,

Alan Beaudoin

120 south ash avenue · tempe, arizona 85281 · phone: 480.994.0994 · fax: 480.994.7332

SITE ANALYSIS FOR DETERMINATION OF REDEVELOPMENT DECLARATION

2929 West Chandler Boulevard
Chandler, Arizona

PREPARED FOR:

City of Chandler
Planning & Development
215 E. Buffalo St., Suite 104
Chandler, AZ 85225

PREPARED BY :

LVA Urban Design Studio
Alan Beaudoin, Principle
120 South Ash Avenue
Tempe, Arizona 85281
480.994.0994

With the consent of:

RG 101 LLC
Mark Singerman, Regional Director, Arizona
2375 E. Camelback Road, #500
Phoenix, AZ 85016
602.387.5328

October 22, 2010

LVA urban design studio
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Introduction

In November of 2007, the Rockefeller Group purchased a 24 acre parcel located near the Loop 101 freeway and Chandler Boulevard in Chandler, Arizona with the intent to develop a Class A office campus and mixed use development known as Rockefeller Group Chandler 101. Since that time a significant amount of planning, design, and engineering has gone into the advancement of the Chandler 101 project. At this juncture of planning, it has become apparent that the current site conditions of the subject property will frustrate development. Instances of improper lot configurations and boundaries, irregular road alignment, ineffective remediation of previous development, and deteriorated site improvements all exist on the site. Remediation and resolution of such issues are not only extremely costly but in some instances will require the re-engineering of the intended development.

LVA Urban Design Studio has been engaged to provide a third party analysis of the existing site conditions and their effect on future development of this site. The objective of this analysis is to determine if findings of slum or blighted conditions are present in accordance with Arizona Revised Statute 36-1471 and therefore appropriate for the declaration of a redevelopment area. The property subject to the evaluation and findings of this report is legally described in Appendix B.

Background

The subject property consists of approximately 24 acres located at the southeast corner of Chandler Boulevard and Price Road, immediately east of the Loop 101 freeway. The previous was demolished and the site roughly graded although above and below ground structural components of the previous development, including a now defunct electrical substation remain on the property. Historically, this property was utilized for agriculture until September of 1977 when the property was rezoned (Case Z77-29) from A-1 (agricultural) to I-1 (light industrial). That zoning change enabled Gould Electronics/ Nikko Industries to develop two manufacturing facilities.

Exhibit A. Gould Electronics Facility in operation- 2005

The Gould facility consisted of a 92,650 square foot manufacturing facility, an 11,000 square foot warehouse, electric substation, wastewater treatment plant and surface storage basins, tank farm, storage areas, solar panel array field, and paved parking and drive areas. The facility remained in operation until 2006 when Gould ceased operations. The Gould portion of the facility was demolished and sold. The Nikko operation still exists at a location immediately southwest of the subject property.

The purpose of the Gould facility was to manufacture and process copper foil used in the circuit board industry. The procedure involved in foil production is a complex system of chemical treatment and electronic plating using chemicals such as cyanide, arsenic acid, and copper sulfate solution. As a

result of the foil production process and the use of potentially hazardous chemicals, the facilities that support this production are generally heavily lined with concrete in order to prevent ground contamination from the chemical process. Regardless of the precautions taken there were two documented hazardous material spills of sodium copper cyanide at the Gould facility, these incidents took place in 1990 and 2005.

Exhibit B. Demolition of Gould Facility-2006

At the time that the facility was closed in 2006, an assessment of the site was completed by GEC, a third party environmental and geotechnical testing company (page 12, A, 2007). As a result of soil sampling and testing, GEC recognized several potentially hazardous environmental conditions that required remediation. Remediation of the property by GEC under the direction of ADEQ ensued shortly thereafter and the contaminants in the soil were reduced to a level deemed acceptable by ADEQ. It should be noted that the process involved to clean the contaminated soil left the site with significant compaction issues. The impact of these issues on future development will be discussed later in this report.

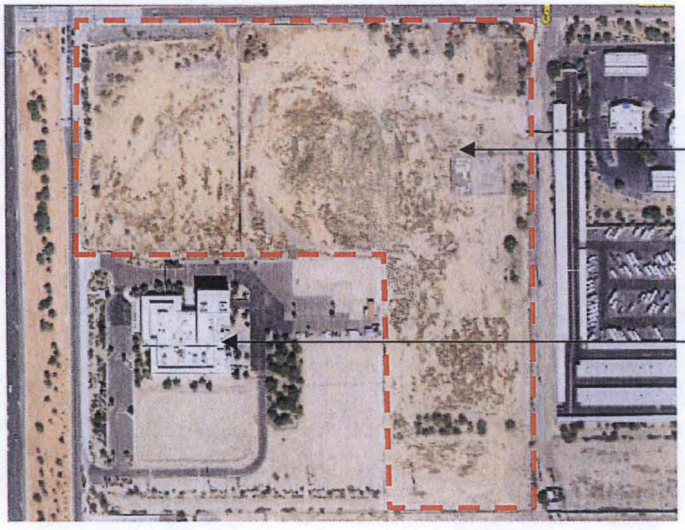

Exhibit C. Subject Property, 2009

Following the purchase of the Gould property by Rockefeller, a rezoning request was filed as the first step in eventually developing a commercial office development. The zoning request (Case DVR- 09-0015) was approved in October of 2009 granting PAD zoning which outlines a mixed-use development consisting of 820,000 square feet of office space and nearly 25,000 square feet of retail/ restaurant space. These uses are intended to be occupied throughout three towers ranging in height from eight to nine stories each. Developed as planned, this project will be one of the largest employment centers in the City of Chandler.

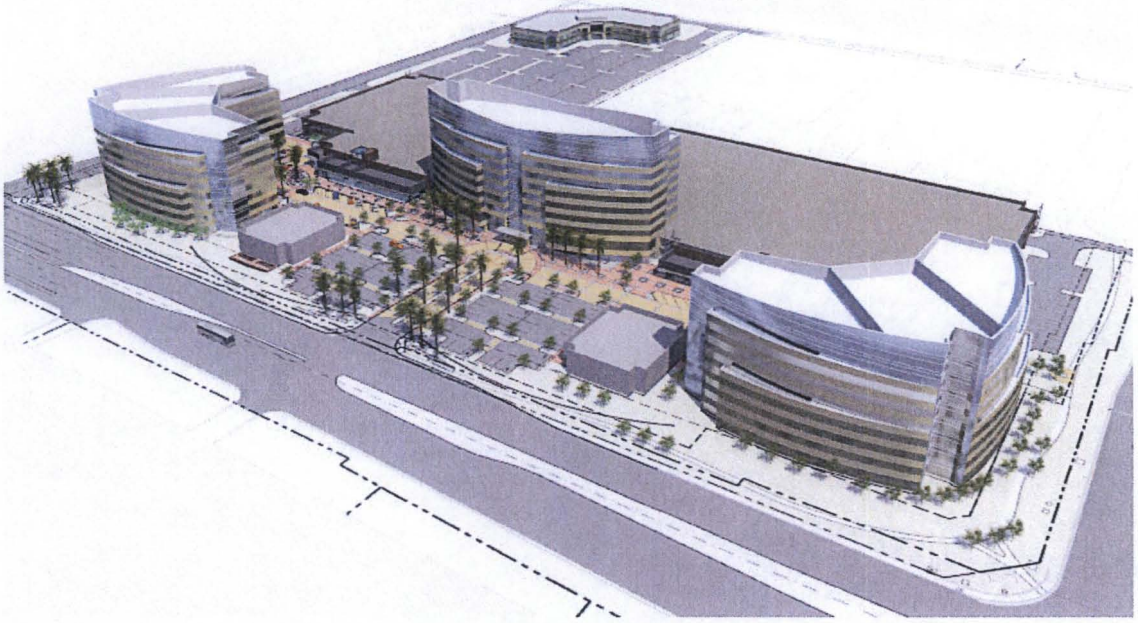

Exhibit D. Artist rendering of proposed Rockefeller Group Chandler 101 development

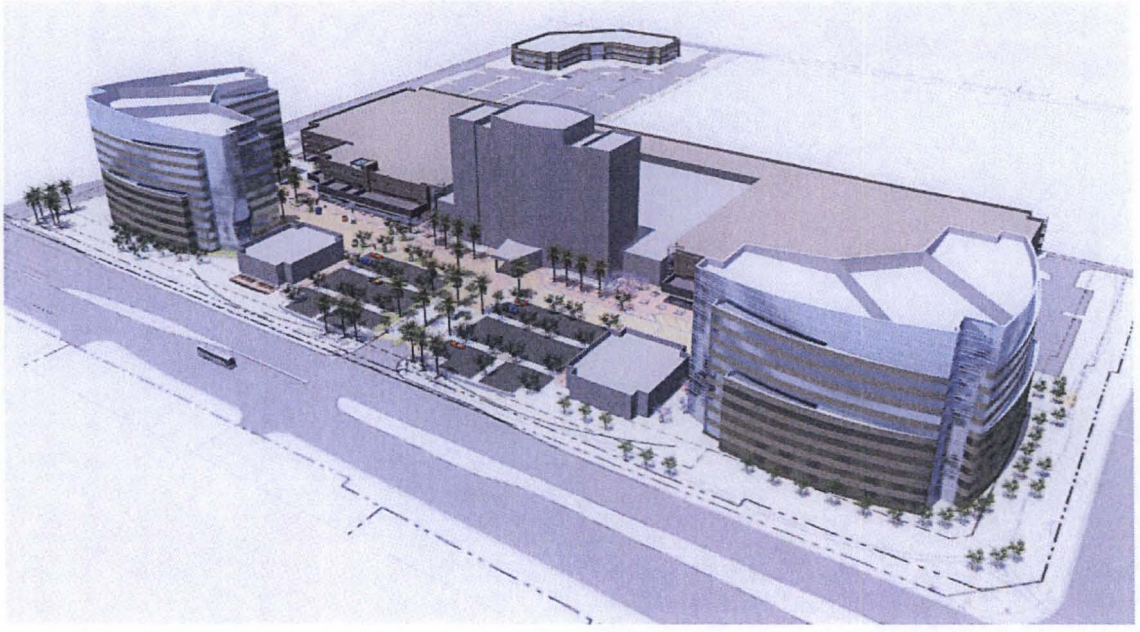

Exhibit D – Hotel option. Artist rendering of proposed Rockefeller Group Chandler 101 development with hotel and conference center

Land Use & Proposed Development

The subject property lies within the "Employment" land use area of the General Plan and is within the area designated as a "Growth Expansion Node". A guiding principle of this area is to encourage development of high-end large office developments. This particular area rests between the lively retail area of Chandler Fashion Square Mall to the west, Chandler

Regional Hospital to the east, and the Price Road corridor to the south. Generally, development in this growth area has thrived in recent years, especially along the corridor of Chandler Boulevard. With the Rockefeller Chandler 101 PAD zoning approval, a Mid-Rise Overlay was also placed on the property. According to the City of Chandler General Plan, the only locations eligible for consideration of a Mid-Rise overlay include freeway corridors for properties located, in whole or in part, within ¼ mile of the freeway centerline for Interstate 10, Loop 202 or Loop 101. Additionally, the subject property is located within the "Chandler Enterprise Zone", a defined area where businesses that create new jobs are encouraged to locate. Given the surrounding uses and location, the subject property is ideal for the type of project that the General Plan envisions.

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Current Site Condition

LVA recently visited (July 14, 2010) the subject property for a visual assessment of the property conditions. There are significant grade changes throughout the site where large areas vary above or below the apparent natural grade by several feet. Geotechnical reports state (page 12, D, 2010) that these variations in elevation relate to locations where soil remediation took place after the closure of the Gould facility. This is especially apparent near the northwest area of the site where a former wastewater treatment area once existed. The property itself is bounded by a fence with locked gate apparently to provide public safety and therefore there were no apparent signs of vandalism. There are a significant amount of shrubs and weeds throughout the property, especially in areas of low elevation where drainage accumulates. It appears as though some minor dumping of debris and trash materials is taking place on the property, mostly near the eastern edge and northeastern corner of the property.

Exhibit E. 69KV Power Lines

The eastern boundary of the site, and especially the northeast, possesses numerous utilities. 69KV and 12KV electrical poles bound the eastern property line as do gas line facilities and easements. The northeast corner of the property contains a number of utility boxes for power, gas, and water.

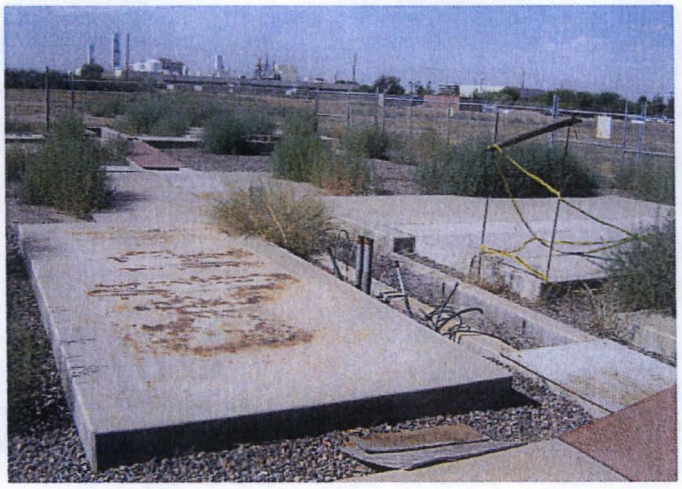

Exhibit F. Former SRP electrical substation

The former SRP electrical substation is a visible, above ground remnant on the property. As seen in exhibit F, this area contains numerous concrete slabs and vaults, steel plates, wiring, plastic piping, and other materials. The exposed vaults will be discussed later in this report.

Review and Applicability of State Statutes

Arizona Revised Statutes 36-1471

provides Arizona municipalities with the authority to declare a property or area a "redevelopment area". Typically the powers granted to a municipality by this statute are multi-faceted and provide guidance to condemn and dispose of slum and blight properties over large sections of land consisting of multiple property owners and land uses. In this case however, we understand the objective of this declaration is to create a single purpose redevelopment area, subject to a single property and a mix of land uses. The establishment of a redevelopment area may assist in mitigating the costs of remediation to the slum or blighted conditions.

Prior to establishing a redevelopment area, the statute provides that a City must make a legislative "Finding of Necessity" demonstrating that a slum and/or blight area exists, per ARS 36-1473. In order to identify areas of "blight" or "slum", ARS 36-1471 includes criteria for what constitutes a finding of blight or slum.

36-1473. Finding of necessity by local governing body
A. A municipality shall not exercise any of the powers conferred on municipalities by this article until its local governing body adopts a resolution by a two-thirds vote finding both of the following:
1. One or more slum or blighted areas exist in the municipality.
2. The redevelopment of that area or areas is necessary in the interest of the public health, safety, morals or welfare of the residents of the municipality.
B. A municipality must notify the owner of real property that is within the boundaries of a proposed redevelopment area of the time, date and location of a public meeting concerning the findings. The municipality must provide this notice by first class mail to the address stated on the most recent records of the county assessor.

36-1471. Definitions
"Blighted area" means an area, other than a slum area, where sound municipal growth and the provision of housing accommodations is substantially retarded or arrested in a predominance of the properties by any of the following:
(a) A dominance of defective or inadequate street layout.
(b) Faulty lot layout in relation to size, adequacy, accessibility or usefulness.
(c) Unsanitary or unsafe conditions.
(d) Deterioration of site or other improvements.
(e) Diversity of ownership.
(f) Tax or special assessment delinquency exceeding the fair value of the land.
(g) Defective or unusual conditions of title.
(h) Improper or obsolete subdivision platting.
(i) The existence of conditions that endanger life or property by fire and other causes.

"Slum area" means an area in which both of the following are true:
(a) There is a predominance of buildings or improvements, whether residential or nonresidential.
(b) The public health, safety or welfare is threatened because of any of the following:
(i) Dilapidated, deteriorated, aging or obsolescent buildings or improvements.
(ii) The inadequate provision for ventilation, light, air, sanitation or open spaces.
(iii) Overcrowding.
(iv) The existence of conditions that endanger life or property by fire and other causes.

Findings - Blighted Conditions

Finding: A dominance of defective or inadequate street layout.
Coronado Street Alignment

Coronado Street, a 4 lane collector, currently terminates at Chandler Boulevard near the northeast corner of the subject property. On November 8, 2007, Chandler City Council approved an alignment for the continuation of Coronado Street along the eastern edge of the subject property and looping back west along the southern portion of the subject property and Nikko facility, making a connection with Price Road.

Exhibit G. Coronado Street & Chandler Boulevard intersection facing north

While Coronado Street is necessary to provide adequate access to the subject property, this roadway is also an important circulation element for the immediate area as it will help alleviate current traffic congestion at the Price Road and Chandler Boulevard intersection. As indicated by the act of the City Council on November 8, 2007 Coronado Street will be constructed as a public street with dedicated right of way.

Exhibit G shows the current condition of Coronado Street terminating at Chandler Boulevard. Surrounding street patterns and general transportation planning practice would suggest that Coronado Street would continue directly south and the burden

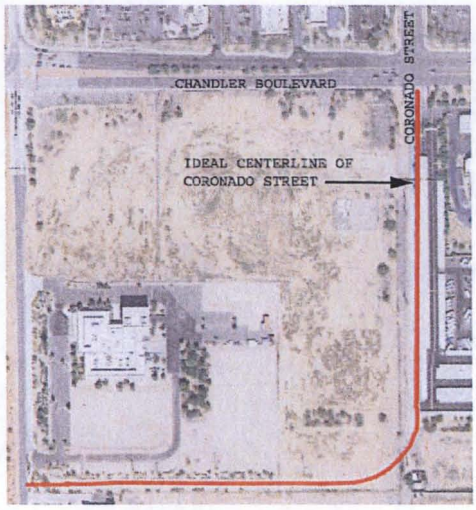

Exhibit H. Road alignment under ideal conditions

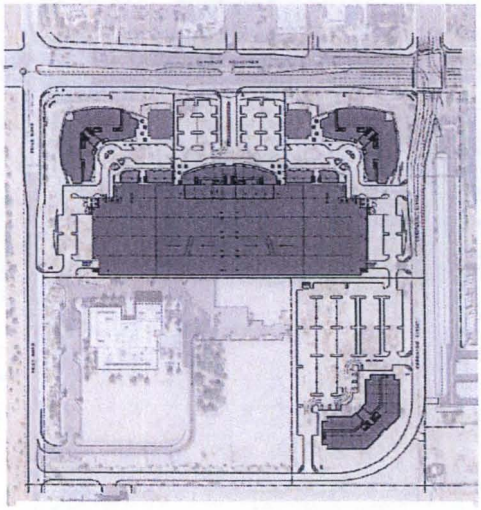

Exhibit I. Actual planned road

of right-of-way dedication would be split between the two adjoining property owners evenly. However, in 1997 San Tan Storage was permitted to construct a storage facility near the western property boundary without regard, dedication, or improvement, for the

future Coronado Street alignment. Because of this existing condition, the owner of the subject property has no alternative but to place a publicly dedicated street entirely on the subject property. Without this significant burden and loss of valuable land, the property would not be afforded adequate access or circulation. Exhibits H & I illustrate this condition.

Finding: Faulty lot layout in relation to size, adequacy, accessibility or usefulness.
Deficient parcel / lot layout

As depicted in exhibit J, the current lot and parcel layout of the subject property as well as surrounding parcels present a dilemma in regards to property access. In the current state, the southeastern portion of the subject property is significantly hindered, as the closest public street is nearly ¼ of a mile away at Price Road or Chandler Boulevard, respectively. Furthermore, the parcel directly east of the subject property (noted as parcel "A" in Exhibit J) is land locked with absolutely no public street access, making development all but impossible. It should also be noted that the City of Chandler Fire Support Service Facility (Exhibit J, parcel B) relies entirely on access from the Price Freeway frontage Road. While all of these properties stand to eventually benefit from the proposed development of Coronado Street, they are currently hindered by access issues as a result of faulty lot layout.

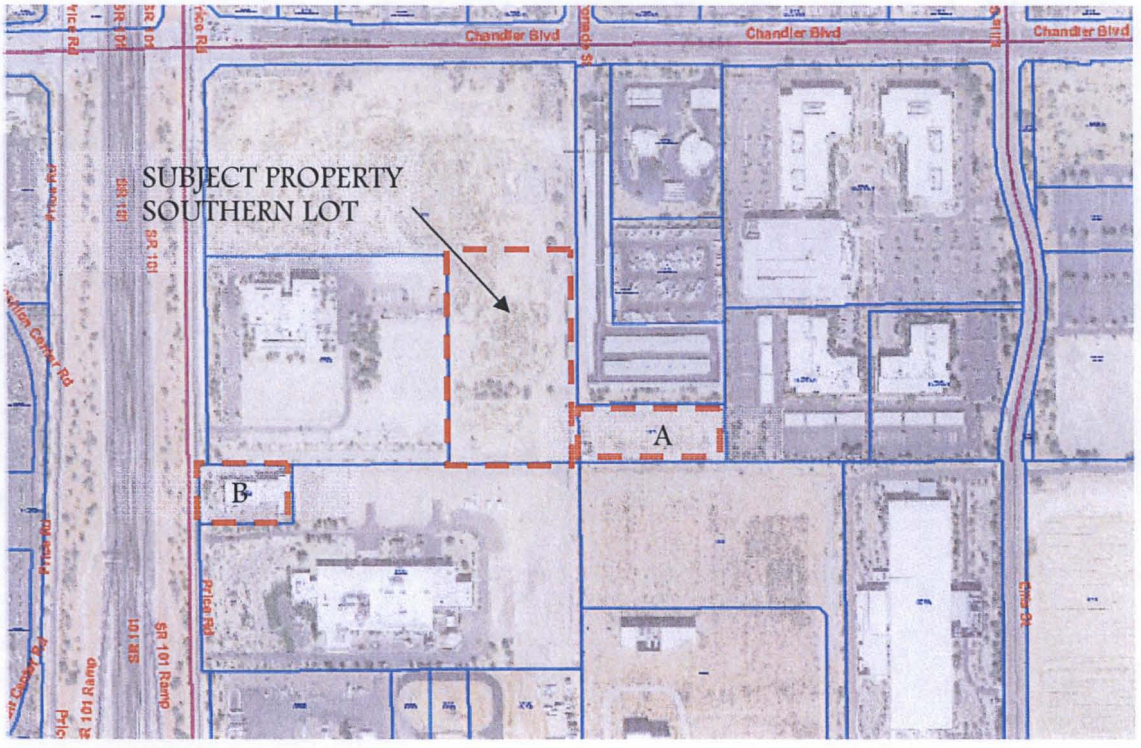

Exhibit J. Property access constraints

Finding: Unsanitary or unsafe conditions
Former SRP substation

The Gould manufacturing facility included an SRP electrical substation in the northeastern part of the site. While most of the electrical equipment was removed from this area, concrete slabs, foundations, conduit, concrete chases, and steel plates remain intact. Most significantly, open concrete lined vaults exist in this area. The most noticeable uncovered vault is approximately 15 feet long, 5 feet wide, and reaches a depth of approximately 10 feet below ground level. The exterior perimeter of the 24 acre property is fenced with a locked gate on the north side of the site. There is also an additional fence around the former substation area but the fence is in ill repair and deteriorated to a point where it is ineffective. We recognize this area as an unsafe condition (with or without proper fencing) and a threat to public safety.

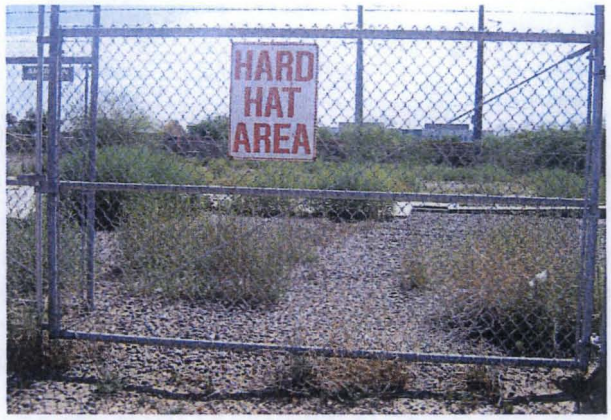

Exhibit K. Gate at Substation

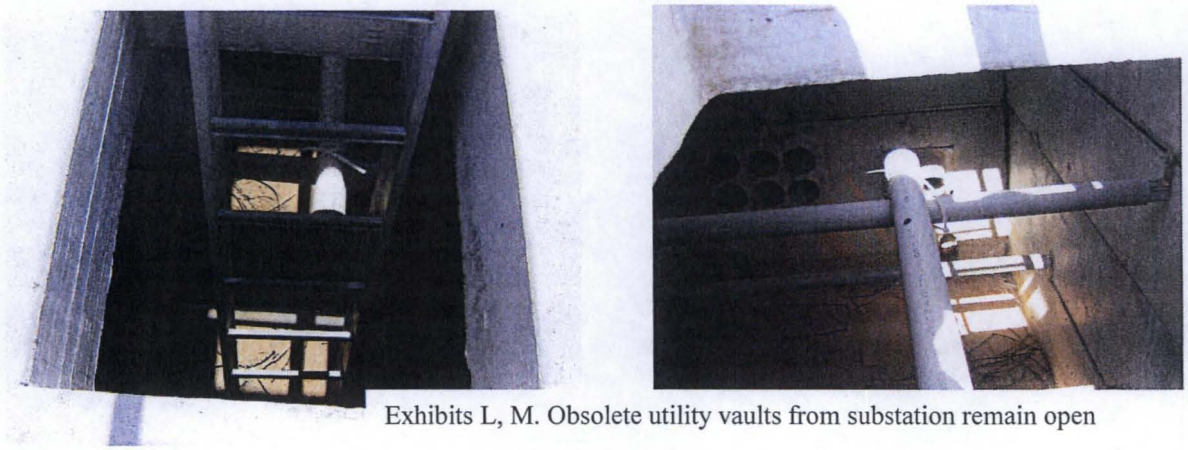
Exhibits L, M. Obsolete utility vaults from substation remain open

Exhibit N. Dilapidated fence surrounding former substation

Finding: Deterioration of site or other improvements.
Manufacturing facility site, below grade slabs

Results of the geotechnical exploration study by Western Technologies (page 12, D, 2010) reveal that a significant portion of the property still contains, after the demolition of the Gould facility, concrete foundations, slabs, piers, and footings at varying depths below the ground surface (see Figure 1. *Remnants of Previous Development* for location detail). Most notably, many of the basements level foundations in the main Gould facility were left in place at depths of 18-25 feet below the ground surface. To alleviate the risks involved in construction over these materials, all sub-grade materials must be removed prior to commencement of any significant development. In addition to the discovery of existing structural components at below-grade levels a geotechnical study (page 12, D, 2010) has found that a tremendous amount of fill materials were used during the remediation of contaminated soils after closure of the Gould facility. While much of the fill material was documented and controlled, a significant portion of these materials were not documented and the composition of the fill material is unknown. Any area that is subject to new development in any way will require removal of these fill materials and proper compacting prior to the commencement of development.

As a result of these findings, the engineering professionals in their design of the proposed development have concluded that due to compaction challenges and poor soil bearing values, the soil conditions affiliated with this property are not suitable to support the intended development using traditional footing construction methods. As a result, the proposed office and hotel buildings will require caissons drilled far below typical depths for proper support.

Overhead Electrical Power

To facilitate the development of Coronado Street south of Chandler Boulevard, the existing 69 kilovolt and 12 kilovolt power lines will need to be relocated and placed below grade, respectively. As part of this undertaking the 12 KV lines currently accompanying the power poles will be placed underground and the 69 KV lines relocated, presumably near their current location.

Solar Array, existing drilled piers

During Gould's operation, the southeastern portion of the site included a solar panel array site covering an area of approximately 5 acres. The solar array was supported by drilled piers of unknown depths and there is no record of how the piers were removed when the solar array site was dismantled. It is the opinion of the engineer who reviewed Geotechnical Report Data (page 12, D, 2010) on this site that there may be piers remaining below ground surface at varying depths. Due to the location of the solar array, any remaining piers will have to be located and removed prior to site grading in order to develop the site and provide a suitable

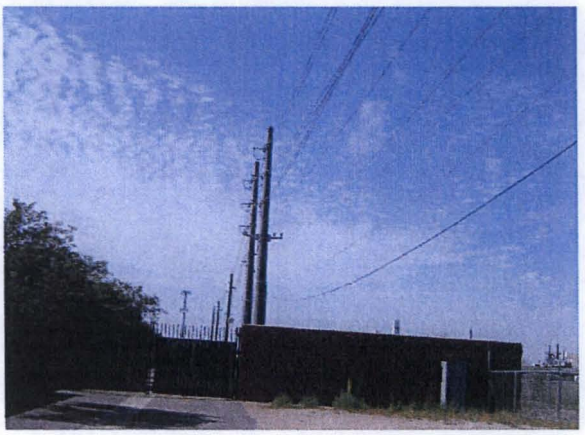

Exhibit O. Utility lines along east border of site

trenching area for the 12 KV lines to be buried. These conditions as well constitute a blight condition as defined as subsection "d" "deterioration of site or other improvements".

Finding: Sound municipal growth an the provision of housing accommodations is substantially retarded or arrested in the predominance of the properties.
Virtually the entire site is negatively impacted by the above conditions of blight and cannot be developed for housing or for the proposed mixed-use development without remediation. Accordingly, sound municipal growth is substantially retarded and arrested within the entire property and a predominance of the surrounding properties as a result of the blighted conditions. Additionally, although the site is located within Chandler's employment corridor, the property located to the northeast, and the property located within a half mile to the southeast is designated in the General Plan for residential land use. The inability to develop the property with the proposed mixed-use development, or to alleviate the existing conditions of blight, substantially retards and arrests the development of housing accommodations in the predominance of properties surrounding the site.

Findings - Slum Conditions
In order to recognize a "slum" area as described in A.R.S 36-1471, an area must show a predominance of buildings or improvements (residential or non-residential) that pose a threat to the health, safety, or welfare of the public as a result of their dilapidated, deteriorated, aging, or obsolescent condition.

Finding – Predominance of non-residential improvements on the site, which are dilapidated, deteriorated, aging or obsolescent.
The following dilapidated, deteriorated, aging and obsolescent improvements are spread throughout the subject property, and negatively impact the development of all portions of the site. Accordingly, there is a predominance of improvements on the site which are dilapidated, deteriorated, aging or obsolescent.

- The subject property contains a defunct electrical substation with open vaults, the presence of these vaults pose a direct threat to public safety. The defunct electrical substation negatively impacts the development of approximately 5,500 square feet of the subject property

- The subject property contains obsolete concrete foundation, slabs, footings, and other remnants of a previous 92,650 square foot manufacturing facility, and a previous 11,000 square foot warehouse, which negatively impacts the development of 103,650 square feet of the subject property.

- The subject property contains 5 acres (217,800 square feet) of an obsolete solar panel array area. The solar array was supported by drilled piers of unknown depths and it is the opinion of the engineer who reviewed the Geotechnical Report Data (page 12,D,2010) that obsolete piers may remain at any location within this 5 acre area.

- The subject property contains approximately 2,368 feet of 12 KV and 69 KV power lines with 14 supporting 12 KV and 69 KV power poles. Many of these poles must be relocated for redevelopment. These power lines and power poles negatively impact the development of approximately 141,750 square feet of the subject property.

Finding: Public safety and welfare are threatened because of the dilapidated, deteriorated, aging and obsolescent improvements on the property.
The dilapidated, deteriorated, aging and obsolescent improvements pose a significant challenge to development of the site. Without their profound remediation, the subject property will remain in its current state of deterioration for the foreseeable future, posing a threat to the public safety and welfare of the community.

Supporting Documentation
The subject property owner, as part of their due diligence prior to purchasing the subject property from Gould Electronics, contracted with GEC (Geotechnical & Environmental Consultants) to perform tests and analysis to determine the site conditions. The assumptions, risks, and challenges related to future development of the property due to environmental factors are a result of information found in these studies. The referenced documents are listed below.

A. August 21, 2007- Results of Observation and Testing Services, Project # 02-005W.R03A, Geotechnical and Environmental Consultants, Inc.

B. October 26, 2007 – Preliminary Geotechnical Exploration Report, Project # 07-0264A.R01, Geotechnical and Environmental Consultants, Inc.

C. June 2, 2008 – Soil sampling and test results for electrical substation site, Project no. 07-0264B.L01, Geotechnical and Environmental Consultants, Inc.

D. July 8, 2010- Preliminary Geotechnical Exploration Report Supplement, Reference # 2120XC074, Western Technologies, Inc. (formerly Geotechnical and Environmental Consultants)

Conclusion
The effect that blight and slum has on an individual property is that conditions exist that are so prohibitive to development in relation to surrounding properties that remediation and development of the property is stifled. After reviewing data from several environmental and geotechnical reports, analyzing the property layout in relation to future traffic circulation, and considering the current threat to public safety, and the obstacles and challenges in commencing future development of this site, LVA Urban Design Studio finds that the subject property meets the criteria set forth in A.R.S. 36-1471 in establishment of a "blighted" and "slum" area.

Credentials and Background

Alan Beaudoin has an extensive planning and development background with over 22 years of experience in all aspects of urban planning, design review, development analysis and property entitlements. He has written several award-winning ordinances and specific plans as well as overseen the successful zoning entitlements for many Master Planned Communities, residential and commercial developments. His educational emphasis included land planning, architectural studies, urban design and land use law.

Professional project responsibilities have primarily involved project management, site analysis, land plan development, primary author of the public review documents, the preparation of development regulations, public involvement, public speaking and the management of the public review process.

In addition to twelve years of private sector experience, Mr. Beaudoin has over twelve years of experience with general planning, general plan amendment, zoning and development review activity within the public sector, while contributing to the efforts of the Planning Department and the Development Services Department at the City of Phoenix.

Mr. Beaudoin joined LVA in 1998, became a business partner in 2001 and the Principal in 2006.

Mr. Beaudoin has experience and past involvement with establishing and implementing redevelopment areas through contributions as Project Manager or Support Staffing with the City of Phoenix. Between 1988 and 1998 several areas of Central Phoenix underwent major transformation as a result of the establishment of redevelopment areas and redevelopment plans. Mr. Beaudoin's work with several inner city areas including Eastlake Park, Nuestro Barrio, Sky Harbor Center, with Target Area A, Target Area B, and the Downtown Area Redevelopment and Improvement Plan highlight the success of such plans. Through successful identification, declaration and implementation of redevelopment plans, these blighted areas today have realized significant recovery.

RESOLUTION NO. 4552
(Finding of Necessity)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA FINDING AND DECLARING THAT CERTAIN 16-ACRE PARCEL OF REAL PROPERTY LOCATED AT SOUTHEAST CORNER OF THE INTERSECTION OF THE PRICE FREEWAY AND CHANDLER BOULEVARD, IN CHANDLER, ARIZONA, TO BE A SLUM AREA IN THE CITY OF CHANDLER AND THAT THE REDEVELOPMENT OF SAID SLUM AREA IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY, MORALS OR WELFARE OF THE RESIDENTS OF THE CITY OF CHANDLER

WHEREAS, before the City of Chandler (the "City") can exercise those powers related to Slum Clearance and Redevelopment conferred upon Arizona municipalities by Arizona Revised Statutes §§ 36-1471 through 36-1491, the Chandler City Council, as the City's governing body, must adopt a resolution by a two-thirds vote finding that: (1) one or more slum or blighted areas exist in Chandler; and (2) the redevelopment of such area or areas is necessary in the interest of the public health, safety, morals, or welfare of the residents of Chandler; and

WHEREAS, it has been proposed that the City find and declare that certain real property consisting of approximately 16-acres located at the southeast corner of the Price Freeway and Chandler Boulevard, in Chandler, Arizona, and legally described in Exhibit "A," attached hereto and incorporated herein by reference (the "Proposed Redevelopment Area"), as a slum or blighted area in need of redevelopment; and

WHEREAS, the City, with the consent of the owner of the Proposed Redevelopment Area, has received a study entitled "Site Analysis for Determination of Redevelopment Declaration," prepared by Alan Beaudoin of LVA Urban Design Studio (the "Report"), in which the author evaluated the Proposed Redevelopment Area; found the site to meet several of the elements for slum or blight; and concluded that the site "meets the criteria set forth in A.R.S 36-1471 in establishment of a "blighted" and "slum" area; and

WHEREAS, the City Council has received a memorandum from City staff supporting a finding that the site constitutes a "slum" area; and

WHEREAS, the owner or owners of the site concurs with the findings and conclusions in the Report; and

WHEREAS, on November ___, 2011, upon proper notice having been provided to the owner of Proposed Redevelopment Area, the Chandler City Council held a public hearing on the this matter, at which the Report, the staff supporting memorandum and the written consent of the owner of the site were introduced and accepted into the record, together with such other testimony or documents that may been presented at that time; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Chandler, Arizona, as follows:

1. The Chandler City Council finds that the Proposed Redevelopment Area is an area in which the following are true:

a. There is a predominance of buildings or improvements within or upon the site; and

b. The public health, safety or welfare is threatened because of *any* of the following:

(1) Dilapidated, deteriorated, aging or obsolescent buildings or improvements;

(2) The inadequate provision for ventilation, light, air, sanitation or open spaces;

(3) Overcrowding;

(4) The existence of conditions that endanger life or property by fire and other causes;

all as further stated and described in the Report and other documentation that is part of the record of the public hearing conducted on this matter.

2. The Chandler City Council finds that the Proposed Redevelopment Area is a slum area as defined in A.R.S. § 36-1471.

3. The Chandler City Council finds that the redevelopment of the Proposed Redevelopment Area is necessary in the interest of the public health, safety, or welfare of the citizens of the municipality.

4. The Proposed Redevelopment Area is hereby declared to be a slum area in need of redevelopment.

5. The Report, three (3) copies of which are on file in the Office of the City Clerk, is hereby declared to be a public document and the same is ordered to remain on file with the City Clerk for public use and inspection.

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona, this _____ day of _____, 2011.

ATTEST:

_____ _____

CITY CLERK MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Resolution No. 4552 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 the vote was ____Ayes, ____Nays.

_____
CITY CLERK

APPROVED AS TO FORM:

_____
CITY ATTORNEY GAB