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FEB 23 2012

Chandler



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

**MEMORANDUM**

**Transportation & Development – CC Memo No. 12-014**

**DATE:** FEBRUARY 2, 2012

**TO:** MAYOR AND CITY COUNCIL

**THRU:** RICH DLUGAS, CITY MANAGER *RD*  
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:** DVR11-0039 PROJECT GREEN BOX

**Request:** Action on the existing Planned Area Development (PAD) zoning for office/industrial uses 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 for approximately 22 acres north and east of the northeast corner of Germann and Price Roads.

Also, Preliminary Development Plan (PDP) approval for a data center with an open-air equipment courtyard on approximately 8 acres in the site's southeast portion (the northwest corner of Germann Road and Ellis Street).

**Location:** North and east of the northeast corner of Germann and Price Roads, surrounding the AmeriCredit property

**Applicant:** Phoenix Investors No. 19, represented by Withey Morris PLC

**Owner:** Phoenix Investors No. 19

**Project Info:** Zoning extension for 22 acres; PDP for an approximately 125,000 square foot open-air data center with 10,000 square feet of office on 8 acres

### **RECOMMENDATION**

Planning Commission and Staff, finding consistency with the General Plan, recommend approval of the zoning extension and approval of the PDP subject to conditions.

### **BACKGROUND**

The 22-acre subject site is located near the northeast corner of Price and Germann Roads within the South Price Road Employment Corridor as designated in the General Plan. The subject site would complete the approximately 40-acre contiguous development that commenced with the AmeriCredit office building on the corner of Price and Germann Roads approved in 2002. To the north is agricultural land designated for Employment by the General Plan. To the east is a single-family subdivision. South across Germann Road is a data center. Large SRP power poles run along the site's eastern edge, adjacent to Ellis Street.

In 2008, the subject site received PAD zoning for office and light industrial uses on the entire 22 acres, with PDP approval for two, two-story speculative buildings totaling approximately 255,000 square feet. One building was to be located on the north end near Price Road, while the other was to be located in the southeast portion near the northwest corner of Germann Road and Ellis Street. Site circulation patterns had mostly been established by the previous AmeriCredit approval, including the locations of the main entrances from Price and Germann Roads.

### **EXTENSION OF THE TIMING CONDITION**

The application requests a time extension for an approximately 22-acre parcel located north and east of the northeast corner of Germann and Price Roads. The Planned Area Development (PAD) zoning approval for office and light industrial uses was granted for a period of three (3) years, which expired on March 29, 2011. The three-year extension would be calculated to begin from the previous approval's expiration date, resulting in an extension to March 2014.

The City has the following options when a zoning district's timing condition expires. The City could, by administrative action, extend the timing condition for another period of time, eliminate the timing condition, or by legislative action revert the zoning to its former zoning classification. If the requested timing extension is approved, all other conditions in the original approval would remain in effect.

### **PRELIMINARY DEVELOPMENT PLAN**

The subject application requests PDP approval for a new site layout, building architecture, landscaping, and signage on an 8-acre portion of the site at the northwest corner of Germann Road and Ellis Street (the 22-acre site's southeastern portion). However, no changes are requested to the previously approved PDP as it applies to the site's remaining 14 acres that front Price Road.

The proposed PDP is for an open-air data center, consisting of a large outdoor equipment courtyard located behind a small office element along Germann Road. The open-air data center concept would reportedly be the first of its kind in Arizona. Phase I of the data center includes a 7,000 square foot one-story office (with potential 3,000 square foot mezzanine) along Germann Road, up to 126 individual data processing modules lined up along indoor corridors within an open-air equipment courtyard enclosed by a 22'-high screen wall, and associated site

improvements. Both the data processing modules and the corridors are climate-controlled. Unlike a typical indoor warehouse-style data center, no cooling tower is required for this development. The actual construction and placement of the 126 modules will be staged in groups of 10 to 20 as part of Phase I, depending on the pace of customer demand.

Phase I includes a parking lot along Germann Road with 50 spaces that is sufficient to account for the office portion's Zoning Code requirements. No parking is provided for the equipment courtyard because it will generally not be occupied by any people. Phase I also includes improvements to Ellis Street and an access drive via Ellis Street north of the courtyard.

Phase II of the data center would expand the equipment courtyard northward by relocating the northern screen wall. Also, depending on SRP's requirements and electricity demand, Phase II might involve a new substation to be located north of the equipment courtyard.

A generator yard is located in the central area of the open-air equipment courtyard. The gas-fueled generators are necessary for backup power in the event of an electricity outage. Besides an outage event, the generators need to be tested occasionally (perhaps once per month) during typical daytime office hours.

The landscaping palette draws from the adjacent AmeriCredit site in its provision of Palo Verde, Sissoo, and Ash trees along the street frontages. Live Oak trees and Bougainvillea are added rather prominently near the main entrance, along with colorful accents and shrubs, to help showcase the building architecture. Sissoo trees are employed more heavily along the eastern façade so as to soften the 22'- to 23'-high screen wall façade as viewed from the adjacent single-family neighborhood. A recommended condition would require that the landscaping tree sizes and numbers be in conformance with the Commercial Design Standards (CDS) – the current exhibits do not show any 48"-box trees, which according to the CDS must be a certain percentage of the trees planted along arterial streets.

The application requests approval for a single building sign to be placed upon the south façade facing Germann Road, most likely near the office entrance. The sign will include individual letters of approximately 3' to 4' in height. Details regarding the exact materials used and type of illumination will be worked out with Staff. No monument signs are requested.

### **ARCHITECTURE/ MODULE DETAILS**

The development utilizes a modern architectural style with strong angles and materials such as abundant glass, standing seam metal, perforated metal paneling, and synthetic wood lattice to highlight the main entrance facing Germann Road. The equipment courtyard is screened on all sides by a concrete tilt-panel and block wall of 22' minimum height. The courtyard wall's massing is effectively broken up by undulating footprints, undulating ridgelines, materials changes, green screens, color changes, and varied scoring on all sides of the building that serve to disguise the wall's length and provide an attractive, highly fragmented appearance to neighbors in all directions, particularly to the south and east.

The data processing modules located in the equipment courtyard are approximately 10' wide by 40' long by 10'-6" high and constructed of CMU block. Each module will have either two or

three 20-ton air-conditioning units above it, depending on cooling demand, one of which will be strictly a redundant (backup) unit. The total height of each module when including the air-conditioning units is approximately 18'. Each module consists of doors on each end, one connecting to the climate-controlled corridors (for human access) and the other connecting to the outside as an emergency access/loading door. The modules are permanent once placed on the site – only the equipment inside is owned by the individual tenants and would be removed upon termination of a lease. Some modules are anticipated to be filled to capacity with equipment, while others will be filled to less than capacity, depending on the individual tenant's data processing needs.

### **NEIGHBORHOOD INTERFACE**

Several issues of neighborhood compatibility have been considered in the course of designing the subject development, including traffic, aesthetics, construction, noise, and privacy. First, with regard to traffic, the traffic levels anticipated from the requested data center use are lower than what had previously been anticipated from the office/light industrial use. Still, the site's 50-space parking lot is designed with its sole access via Germann Road rather than Ellis Street so as to minimize the impact on the adjacent neighborhood.

Second, the development has been designed so as to optimize the aesthetic impact on the adjacent neighborhood. Notably, the 22'-high screen wall prevents views from adjacent homes into the open-air equipment courtyard. Also, the east façade, though very long, features a highly fragmented and attractive design with regular materials and color changes in a manner more typical of an office building, as well as seven (7) green screens and two (2) raised planter boxes. Additionally, existing SRP power poles will partially obscure the view to the subject site.

Third, construction activity will occur only during the Phase I and Phase II initial build-outs. With the module buildings owned by the landlord and not the tenant, there will not be an ongoing need to use cranes and other construction equipment to replace the buildings as the tenants churn over time. Rather, tenants will take their data processing equipment out of the module buildings by hand or forklift when moving out or upgrading their technology. No cranes will remain on site after initial build-out construction.

Fourth, the development team has provided Staff a noise study that concludes the data center use will not have an adverse noise impact on the adjacent residential subdivision. The noise study predicts the worst-case noise impacts from the data center use as measured at eight (8) nearby locations, including several in the adjacent neighborhood. The noise study takes into account the number of module units, the size and type of air-conditioning units employed, the type of noise control blanketing applied to the a/c units, the size and materials of the courtyard screen wall, and numerous other factors in order to make its predictions. Also, much like the city's airport noise contours, the study's decibel numbers are weighted by time of day. Since the City of Chandler does not have established noise regulations for non-aircraft uses, the consultant applied State of California and U.S. EPA standards to his analysis. The study concludes that the predicted noise levels would fall within the lower end of the range of "normally acceptable" noise levels as measured at the nearest residential properties.

Finally, as noted in the application materials, the development's office portion has no east-facing windows so as to protect the neighbors' privacy.

### **COURTYARD VIEWS**

Existing and potential views into the proposed open-air equipment courtyard have been analyzed for general land use compatibility and for compatibility with the General Plan. In coordination with Planning and Economic Development Staff, the development team has provided perspective view illustrations of the subject development from the top floor of several potential and existing developments in the Price Road Employment Corridor. Because the Corridor is eligible for mid-rise buildings that exceed 45' in height, Economic Development Staff helped provide realistic estimations for various hypothetical building heights, including up to 10 stories in two locations. However, despite the great height that could potentially be achieved in the Corridor, the perspective views made it apparent that the only neighbor of likely concern is the existing 3-story AmeriCredit building to the west.

Planning Staff has determined that a person standing on the third (top) floor of the AmeriCredit building and looking toward the subject development's 22'- to 23'-4"-high screen walls will be able to see some portion of air-conditioning units upon the data processing modules in the open-air equipment courtyard. However, no portion of the data processing modules' walls, the backup generators, or any other equipment will be visible from such location. In evaluating views from the AmeriCredit building, it is important to note that its ground elevation is approximately 3' lower than the proposed data center's ground elevation due to the site's existing slope.

It is also noted that nothing other than air-conditioning units, which are a typical component of any building's rooftop equipment, is visible from nearby properties. The lack of visible outdoor ground equipment or data processing modules clearly differentiates the subject use from typical industrial storage yards, which are prohibited by the General Plan from locating in the Price Road Employment Corridor.

### **DISCUSSION**

Planning Commission and Staff support the requested zoning extension, finding the approved office and light industrial uses to still be compatible at this location and in conformance with the General Plan.

Also, Planning Commission and Staff support the requested PDP approval for an 8-acre open-air data center campus, finding it to be an aesthetically excellent development that is compatible with its surrounding uses and in conformance with the General Plan. It is worth noting that a data center without a roof might prove to be incompatible at many other locations, including other locations in the Price Road Employment Corridor. However, at this location its roofless nature is of little negative consequence as evidenced by the noise study and the analysis of potential views into the equipment courtyard from nearby developments. As a low-traffic user that can efficiently utilize this awkwardly cut 8-acre piece, the subject development is an excellent fit at this location.

### **PUBLIC/NEIGHBORHOOD NOTIFICATION**

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.

- A neighborhood meeting was held January 4, 2012 at the Downtown Community Center. One neighbor attended to receive general information about the project and inquire about job opportunities.
- At the time of this writing, Staff is not aware of any opposition to the request.

### **PLANNING COMMISSION VOTE REPORT**

Motion to approve:

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

Commission added recommended PDP Condition No. 4 in order to enhance the data center's west screen wall elevation.

### **RECOMMENDED ACTIONS**

#### **Zoning Extension**

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

#### **Preliminary Development Plan**

Planning Commission and Staff, upon finding consistency with the General Plan and existing PAD zoning, recommend approval of the PDP in case DVR11-0039 PROJECT GREEN BOX subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Project Green Box", kept on file in the City of Chandler Planning Division, in File No. DVR11-0039, except as modified by condition herein.
2. Compliance with original conditions adopted by the City Council as Ordinance No. 4015 in case DVR07-0040 SSB PRICE ROAD, except as modified by condition herein.
3. Landscaping tree sizes and numbers shall be in accordance with the Commercial Design Standards.
4. The decorative square metal accents shown on the south and east elevations shall be added to the west building elevation.

### **PROPOSED MOTIONS**

#### **Zoning Extension**

Move to approve the timing condition for case DVR11-0039 PROJECT GREEN BOX for an additional three (3) years, in which the zoning would be in effect until March 2014, with all of the conditions in the original approval remaining in effect as recommended by Planning Commission and Staff.

CC MEMO 12-014

February 2, 2012

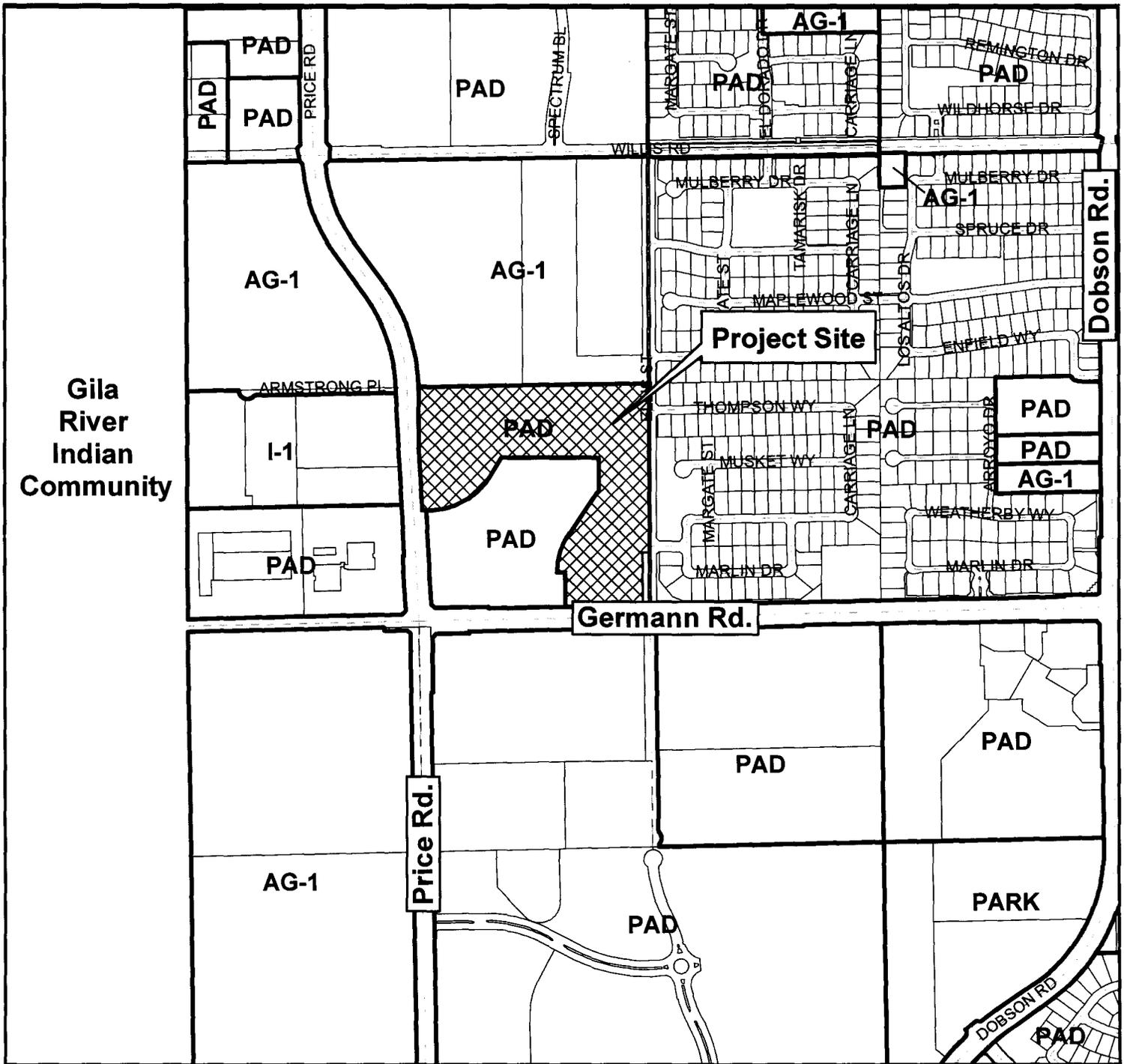
Page 7 of 7

**Preliminary Development Plan**

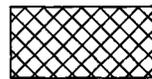
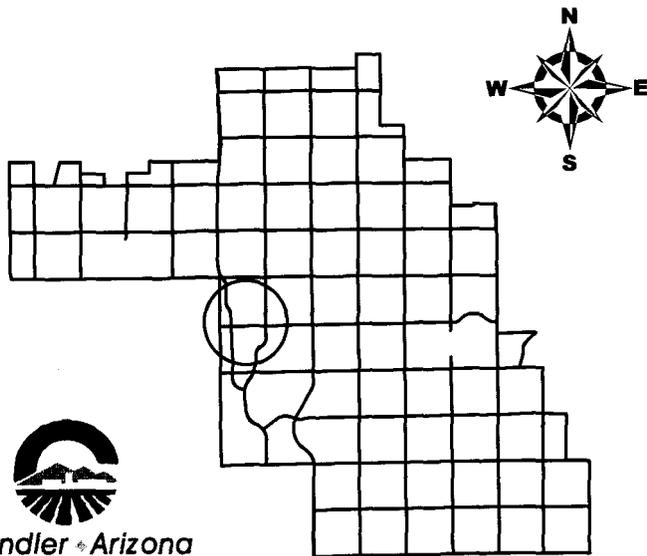
Move to approve the PDP in case DVR11-0039 PROJECT GREEN BOX subject to the conditions recommended by Planning Commission and Staff.

**Attachments**

1. Vicinity Maps
2. Site Plans
3. Landscape Plan
4. Building Elevations
5. Data Processing Module (Typical)
6. Ordinance No. 4015
7. Exhibit A, Development Booklet



## Vicinity Map



DVR11-0039

**Project Green Box**



Gila River Indian Community

Project Site

Germann Rd.

Price Rd.

Dobson Rd.

## Vicinity Map



DVR11-0039

Project Green Box

S. PRICE ROAD

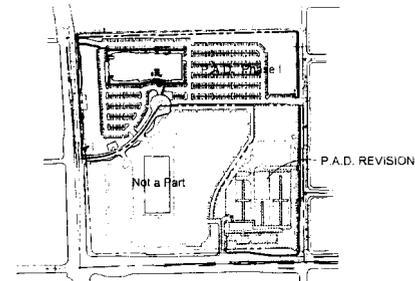
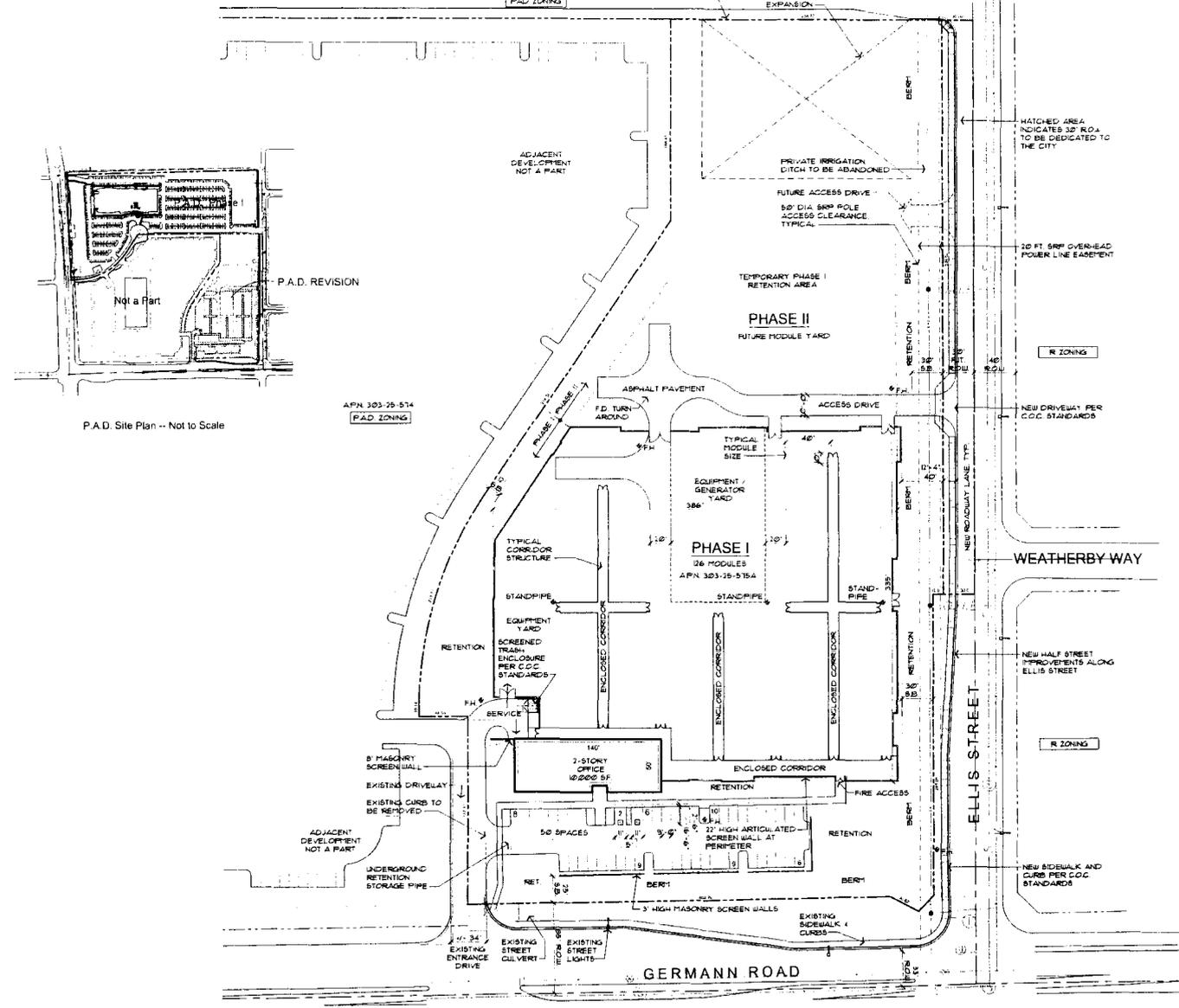
EXISTING  
NOT A PART

CATHERBY WAY



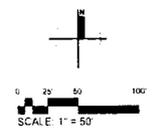
MASTER SITE PLAN





P.A.D. Site Plan -- Not to Scale

APN 303-25-514  
P.A.D. ZONING



Site Area (less 30' E&S ROW)	315,740 net sq ft (7.25 ac)
Building Area	
Office	7,000 sq ft
Future Mezzanine	3,000 sq ft
Total	10,000 sq ft

Equipment Campus	
Equipment Modules 128 x 400 sq ft =	51,200 sq ft
Module Corridors	12,500 sq ft
Total Equipment	63,700 sq ft

Lot Coverage: (70,700/25 Ac) 22.4 %

Parking Provided: (9 x 19)	
Office: (5.0 / 1000 sq ft)	50 Spaces
Modules:	0 Spaces
Total:	50 Spaces

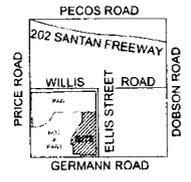
Parcel Owner:  
Sunstate Builders  
1150 W Washington #214  
Tempe AZ 85208  
480-854-1286  
Contact: Mike Forst

Owner / Developer:  
Project Green Box  
(c) NextFort Ventures  
16511 Scientific Way  
Irvine CA 92618  
949-502-7883  
Contact: Mark Towlin / Carlos Olivera

Architect:  
Butler Design Group  
5555 E Van Buren Suite 100  
Phoenix AZ 85008  
602-957-1800  
602-957-7722 fax  
Contact: Toby Rogers

A.P.N. 303-25-5754

Legal Description:  
A portion of property located in the southeast corner of Tract 'A' at Price & Gernann Professional Center, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, book 719 of maps, page 47, comprising approximately 7.6 acres more or less.



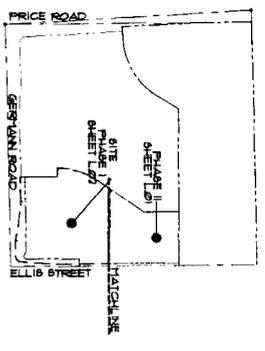
**LANDSCAPE LEGEND**

At least 10% of trees to be planted in 1st year. All trees to be planted in 1st year.

TREE SPECIES	PLANTER SIZE	PLANTER SIZE
Amelanchier	10.00 x 12.00	24" x 24" x 4.00
Arbutus	10.00 x 12.00	24" x 24" x 4.00
Asplenium	10.00 x 12.00	24" x 24" x 4.00
Betula	10.00 x 12.00	24" x 24" x 4.00
Camellia	10.00 x 12.00	24" x 24" x 4.00
Chamaecyparis	10.00 x 12.00	24" x 24" x 4.00
Conium	10.00 x 12.00	24" x 24" x 4.00
Crataegus	10.00 x 12.00	24" x 24" x 4.00
Deutzia	10.00 x 12.00	24" x 24" x 4.00
Euonymus	10.00 x 12.00	24" x 24" x 4.00
Hamamelis	10.00 x 12.00	24" x 24" x 4.00
Hydrangea	10.00 x 12.00	24" x 24" x 4.00
Juniperus	10.00 x 12.00	24" x 24" x 4.00
Malus	10.00 x 12.00	24" x 24" x 4.00
Philadelphus	10.00 x 12.00	24" x 24" x 4.00
Prunella	10.00 x 12.00	24" x 24" x 4.00
Rosa	10.00 x 12.00	24" x 24" x 4.00
Salix	10.00 x 12.00	24" x 24" x 4.00
Spiraea	10.00 x 12.00	24" x 24" x 4.00
Staphylea	10.00 x 12.00	24" x 24" x 4.00
Taxus	10.00 x 12.00	24" x 24" x 4.00
Thuja	10.00 x 12.00	24" x 24" x 4.00
Viburnum	10.00 x 12.00	24" x 24" x 4.00
Yucca	10.00 x 12.00	24" x 24" x 4.00

- ACCENT BUSHES**
- 1.5 gallon
  - 3 gallon
  - 5 gallon
  - 7 gallon
  - 10 gallon
  - 15 gallon
  - 20 gallon
  - 25 gallon
  - 30 gallon
  - 35 gallon
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  - 45 gallon
  - 50 gallon
  - 55 gallon
  - 60 gallon
  - 65 gallon
  - 70 gallon
  - 75 gallon
  - 80 gallon
  - 85 gallon
  - 90 gallon
  - 95 gallon
  - 100 gallon
- GRASS/COVERS**
- 1 gallon
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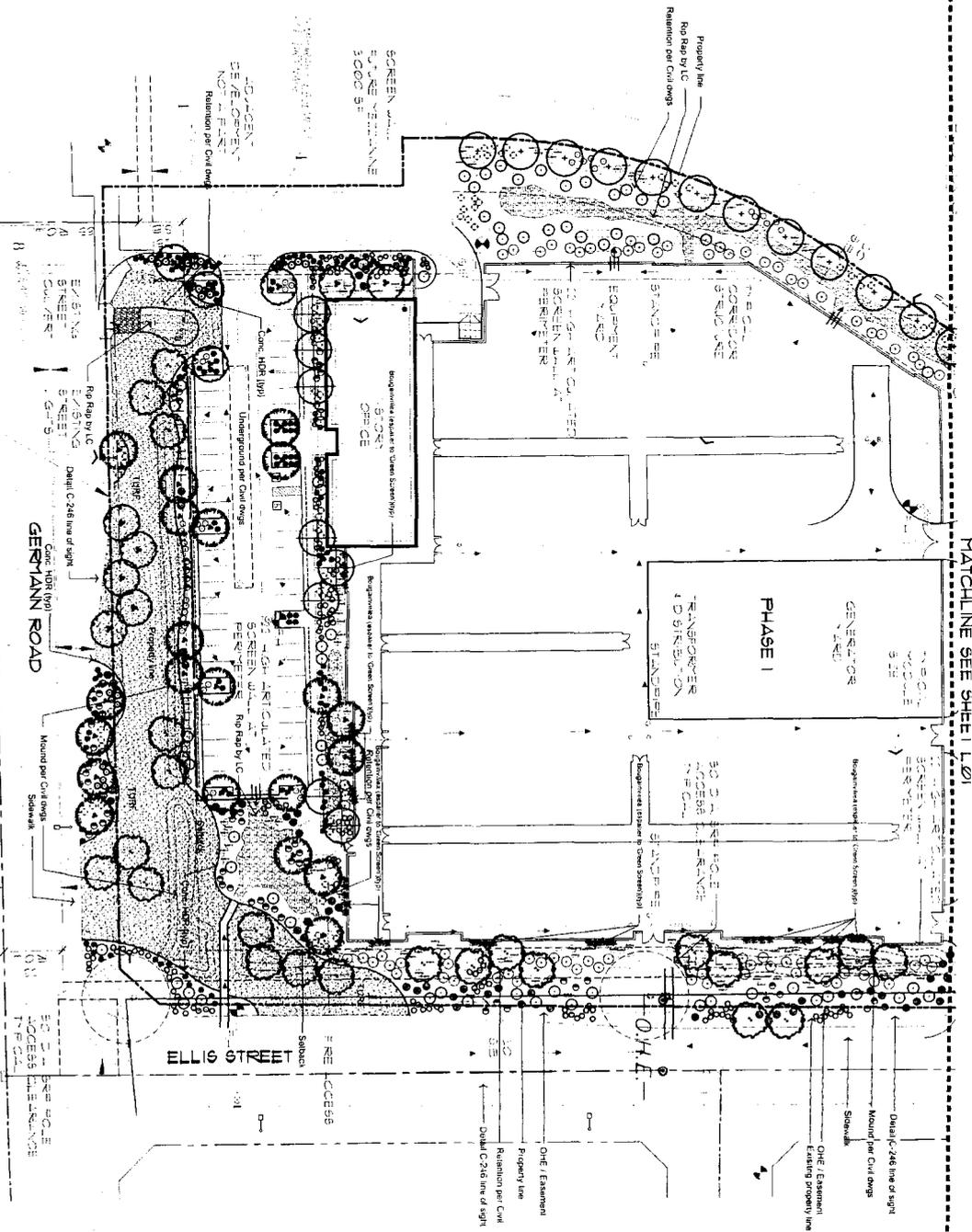


**SHEET L02**  
**PRELIMINARY LANDSCAPE PLAN**

SCALE: 1" = 30'-0"

0 15 30 45 60 75 90 105 120

**NO. 114**



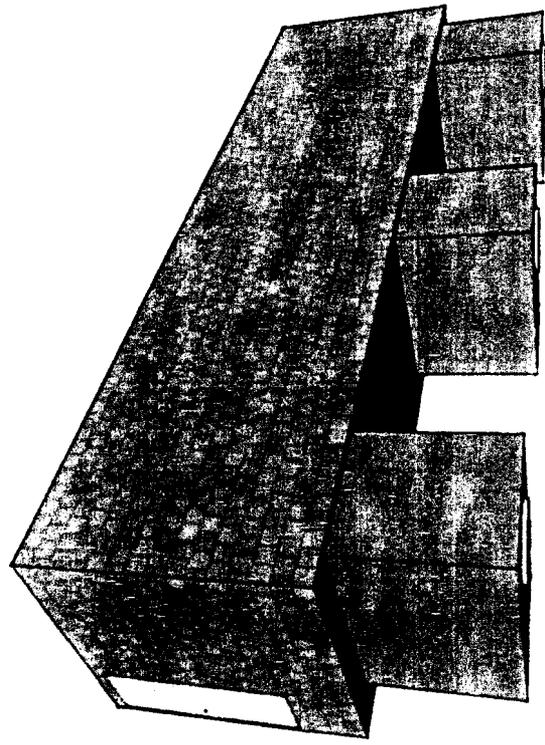
**L01 - CONCEPTUAL LANDSCAPE PLAN - SOUTH**





NO.	DESCRIPTION	QTY	UNIT	PRICE	TOTAL
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TYP. DATA PROCESSING COMPUTER MODULE ENCLOSURE



## ORDINANCE NO. 4015

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM AGRICULTURAL DISTRICT (AG-1) TO PLANNED AREA DEVELOPMENT (PAD) (DVR07-0040 SSB PRICE ROAD) 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 Agricultural District (AG-1) to Planned Area Development (PAD) 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. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "SSB Price Road", kept on file in the City of Chandler Planning Services Division, in File No. DVR07-0040, except as modified by condition herein.
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. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual # 4).

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(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.
7. 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.
8. Approval by the Director of Planning and Development of plans for landscaping and perimeter walls and the Director of Public Works for arterial street median landscaping.
9. 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.
10. 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 subject development shall use treated effluent to maintain open space, common areas, and landscape tracts.

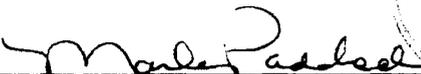
11. The landscaping shall be maintained at a level consistent with or better than at the time of planting. The site shall be maintained in a clean and orderly manner.
12. There shall be no building signage on the western face of Building One.
13. Landscaping and/or decorative walls shall be added east of the Building Two trucking area to provide adequate screening from the adjacent neighborhood.
14. Pending Fire Marshall approval, Building Two shall be moved south to further offset the cross aisles along the main drive.
15. The applicant shall work with Staff to incorporate art features within the development.

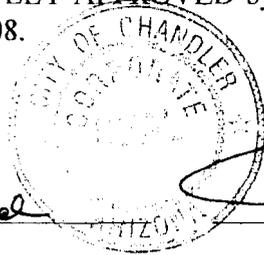
SECTION II. Except where provided, nothing contained herein shall be construed to be an abridgment of any other ordinance of the City of Chandler.

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 of the City of Chandler, Arizona, this 14<sup>th</sup> day February 2008.

ATTEST:

  
CITY CLERK



  
MAYOR

PASSED AND ADOPTED by the Mayor and City Council of the City of Chandler, Arizona, this 28<sup>th</sup> day of February 2008.

ATTEST:

  
CITY CLERK



  
MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 4015 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the 28<sup>th</sup> day of February 2008, and that a quorum was present thereat.

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

APPROVED AS TO FORM:

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

PUBLISHED in the Arizona Republic on March 13 and March 20, 2008.

**LEGAL DESCRIPTION**

TRACK A, PRICE AND GERMANN PROFESSIONAL CENTER, ACCORDING TO PLAT RECORDED AT BOOK 719 OF MAPS, PAGE 47, OFFICE OF THE MARICOPA COUNTY RECORDER, ARIZONA:

EXCEPTING THEREFROM ANY PART THEREOF CONVEYED TO THE UNITED STATES OF AMERICA BY GENERAL WARRANTY DEED DATED AUGUST 15, 2003 AND RECORDED MARCH 24, 2004 AS DOCUMENT NO. 2004-0301855, OFFICE OF THE MARICOPA COUNTY RECORDER, ARIZONA

APN:

303-25-575-A