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MAR 22 2012



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



**MEMORANDUM                      Transportation & Development – CC Memo No. 12-030**

**DATE:**            MARCH 8, 2012

**TO:**                MAYOR AND CITY COUNCIL

**THRU:**            RICH DLUGAS, CITY MANAGER *RD*  
                         PATRICK MCDERMOTT, ASSISTANT CITY MANAGER  
                         R.J. ZEDER, TRANSPORTATION & DEVELOPMENT DIRECTOR *RJ*  
                         JEFF KURTZ, PLANNING ADMINISTRATOR *JK*

**FROM:**            KEVIN MAYO, PLANNING MANAGER *KM*

**SUBJECT:**        DVR11-0016 THE PRESIDIO  
                         Introduction and Tentative Adoption of Ordinance No. 4359

**Request:**           Rezoning from Planned Area Development (PAD) to PAD Amended to increase the allowed percentage of Medical Office, with Preliminary Development Plan (PDP) approval utilizing an off-site shared parking model

**Location:**           South of the southwest corner of Pecos and Dobson roads

**Applicant:**           Stephen C. Earl  
                         Earl, Curley & Lagarde, P.C.

**Project Info:**        6.35-acre business park

**RECOMMEDATION**

Upon finding the request to be consistent with the General Plan, Planning Commission and Staff recommend approval subject to conditions.

**BACKGROUND**

The subject site is located south of the southwest corner of Pecos and Dobson roads. The site is surrounded to the north by property zoned Planned Area Development (PAD) for a medical office complex. To the west is the Santan Dobson Business Park Phase I and Phase II. The existing Cantera Apartment complex is located west of the Santan Dobson Business Park. To the east is the residential neighborhood, Silverton Ranch. Adjacent to the site's south side is the Tempe Korean Presbyterian Church (formerly Wellspring Church) Phase I of the master planned church campus.

The subject site received PAD zoning for a General/Medical Office development in December 2005. The site includes a total of 86,130 square-feet comprised within two 2-story and one single-story office buildings. The 2005 approval included provisions for the utilization of an off-site shared parking model comprised of 378 parking spaces provided on-site, 29 designated parking spaces provided on the adjacent church parcel, and an additional 53 undesignated parking spaces provided by the adjacent Santan Dobson Business Park Phase II. The shared parking model has functioned well since approval. In fact, the church frequently utilizes the reciprocal parking rights with parishioners parking within The Presidio on Sundays. Based upon the available amount of on-site and adjacent off-site parking, the development was limited to a maximum of 20% Medical Office. The approving Ordinance No. 3760 included condition 10 indicating as such.

The application requests zoning approval to eliminate condition no. 10 of Ordinance No. 3760 in essence to increase the allowed percentage of Medical Office, with PDP approval to utilize an amended off-site shared parking model. The subject site's proximity to Chandler Regional Hospital as well as the developments architectural quality has made it a natural location for medical office tenants.

The Presidio representatives have worked closely with the Tempe Korean Presbyterian Church to amend the 2006 reciprocal easement agreement for parking (recorded at the Maricopa County Recorder), increasing the allowed use of the Church parking lot for a total of 43 additional parking spaces. As represented in the attached exhibits and Development Booklet, The Presidio will construct 39 new covered parking spaces along the Church's southern boundary, of which the Church will have exclusive use of 4. In exchange, the Church will allow the use of 8 additional un-covered spaces along the northern boundary, for a total of 43 additional spaces available to The Presidio. The 39 new parking spaces will bring the total number of on-site Church parking spaces from 122 to 161 spaces. The Church currently utilizes an average of 6 parking spaces on a day to day basis, with a max of 22 spaces used at any one time during the week.

The additional 43 available parking spaces brings the total provided parking spaces on-site and off-site for The Presidio to 507 spaces. This amount of parking is sufficient to support an increase in the percentage of Medical Office use from 20% to 50%. The requested PDP approval to utilize an amended off-site shared parking model will no longer include a specified Medical Office percentage limitation, and will instead regulate the General vs. Medical Office percentages based upon a demonstrated amount of available parking. This approach is preferable to Staff as any changes to the City's Parking Code could adjust the ultimate percentages. As well, at such time the Church constructs future phases including additional parking, and the Presidio is successful in amending the reciprocal easement agreement for parking yet again, Staff will be able to administratively adjust the two office percentages.

## **DISCUSSION**

Staff supports the requested zoning amendment and PDP. The subject site's original shared parking model has successfully functioned for more than 5 years and in fact has been used as a model for other shared parking scenarios. The construction of 39 additional covered parking

spaces upon the Church property benefits both properties, while finishing off the eastern southern edge for the Church. Additionally, Staff supports the amended off-site shared parking model without a specified percentage finding the administrative flexibility will enable both property owners and the City to more quickly respond to market demands following anticipated future phase Church expansions. The recordation of a reciprocal easement agreement for parking ensures to the City that the off-site parking will remain unless accommodated elsewhere.

### **PUBLIC / NEIGHBORHOOD NOTIFICATION**

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on 02/15/2012. No neighboring property owners attended the meeting.
- As of the date of this memo, Staff is not aware of any opposition to this request.

### **PLANNING COMMISSION VOTE REPORT**

Motion to approve.

In Favor: 7    Opposed: 0

### **RECOMMENDED ACTIONS**

#### **Rezoning**

Upon finding consistency with the General Plan, Planning Commission and Staff recommend approval of DVR11-0016 THE PRESIDIO zoning amendment from PAD to PAD Amended to increase the allowed percentage of Medical Office by eliminating Condition No. 10 of Ordinance No. 3760 limiting Medical Office to 20%.

#### **Preliminary Development Plan**

Upon finding consistency with the General Plan, Planning Commission and Staff recommend approval of DVR11-0016 THE PRESIDIO Preliminary Development Plan (PDP) approval utilizing an off-site shared parking model, subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "The Presidio", kept on file in the City of Chandler Planning Services Division, in File No. DVR11-0016, except as modified by condition herein.
2. The General Office vs. Medical Office percentages will be based upon a demonstrated amount of available parking through a recorded Reciprocal Easement Agreement for Parking, or other similar instrument.
3. All new off-site parking shall be constructed to City standards.

### **PROPOSED MOTIONS**

#### **Rezoning**

Move to introduce and tentatively adopt Ordinance No. 4359 approving the rezoning from PAD to PAD Amended to eliminate Condition No. 10 of Ordinance No. 3760 limiting Medical Office to 20%, in case DVR11-0016 THE PRESIDIO, as recommended by Planning Commission and Staff.

CC Memo No. 12-030

March 8, 2012

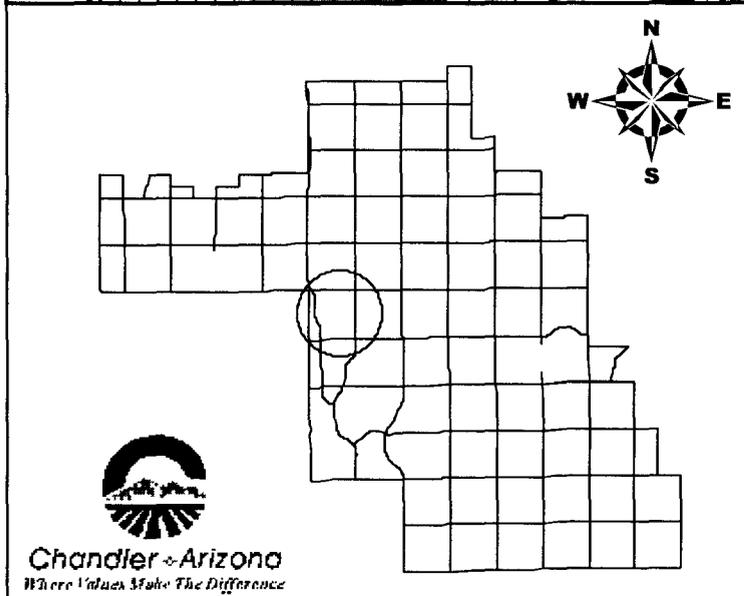
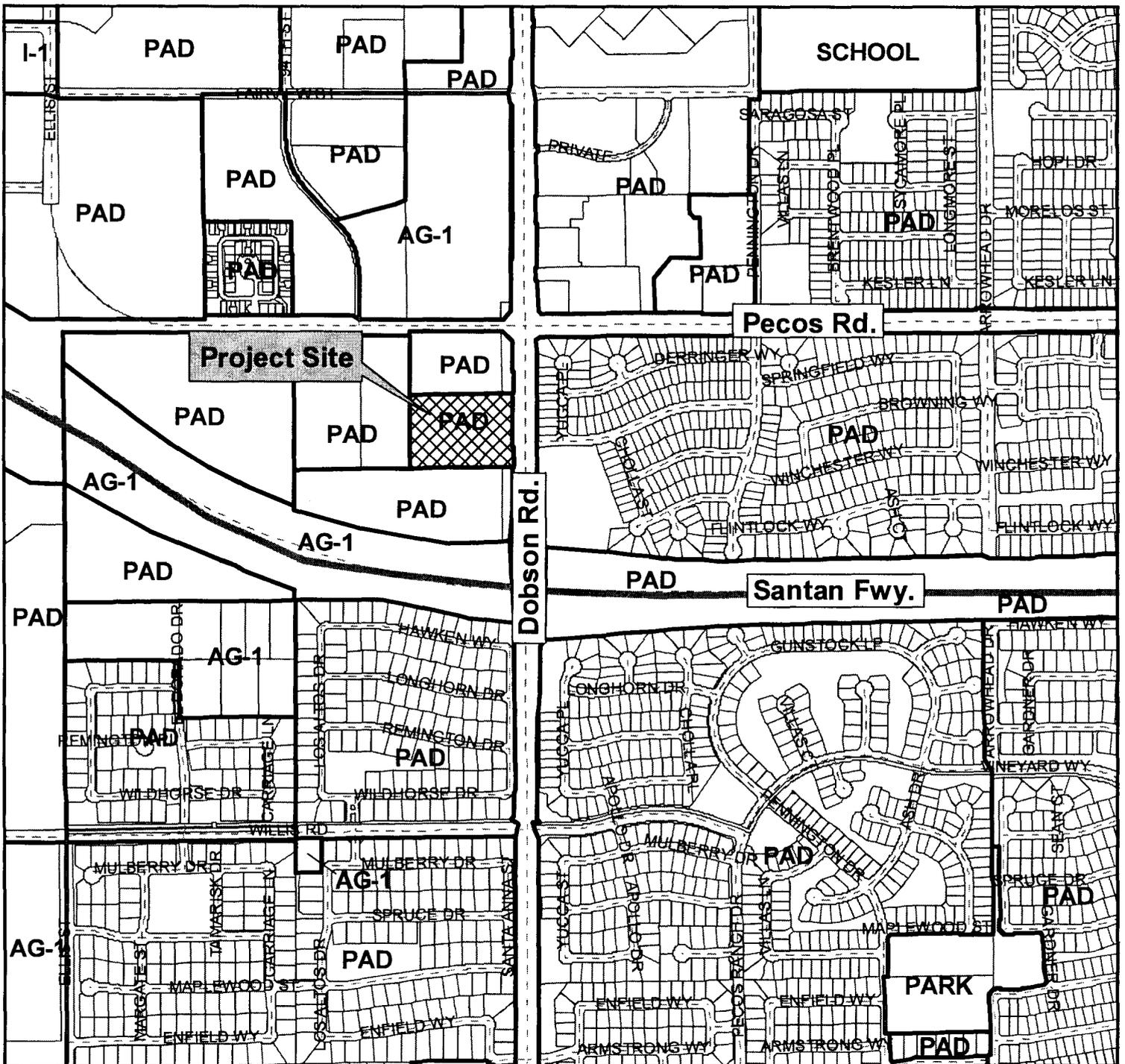
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**Preliminary Development Plan**

Move to approve the PDP in case DVR11-0016 THE PRESIDIO, subject to the conditions recommended by Planning Commission and Staff.

**Attachments**

1. Vicinity Maps
2. Ordinance No. 4359
3. Site Plan
4. Development Booklet, Exhibit A

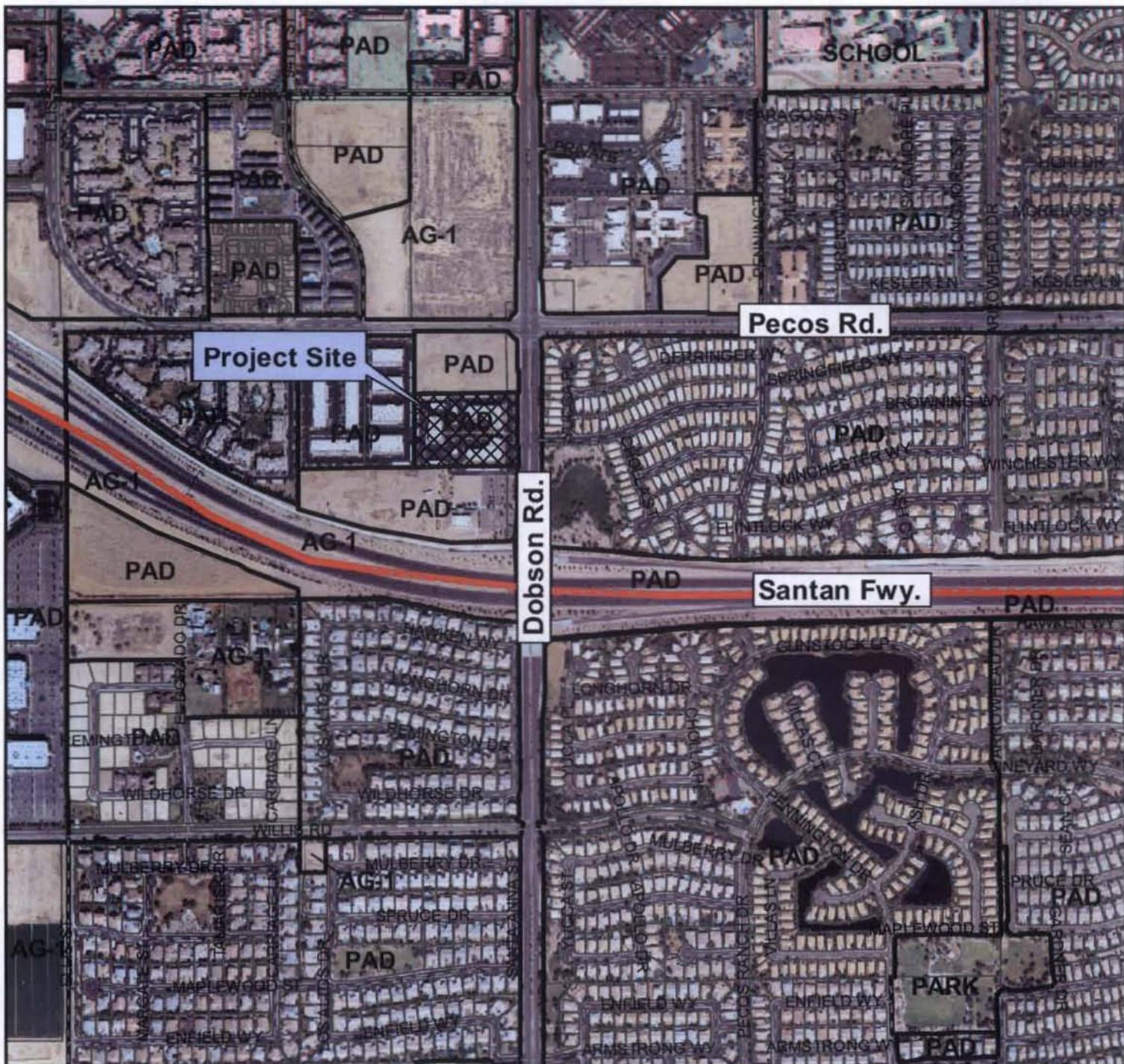


## Vicinity Map



DVR11-0016

The Presidio



**Project Site**

**Pecos Rd.**

**Dobson Rd.**

**Santan Fwy.**

## Vicinity Map



**DVR11-0016**

**The Presidio**

**ORDINANCE NO. 4359**

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY AMENDING A PARCEL ZONED PLANNED AREA DEVELOPMENT (PAD) TO ELIMINATE ZONING CONDITION NO. 10 OF ORDINANCE NO. 3760 LIMITING MEDICAL OFFICE USES TO 20-PERCENT (DVR11-0016 THE PRESIDIO) 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 property is hereby rezoned to delete Condition No. 10 of Ordinance No. 3760 limiting Medical Office uses to 20-percent for DVR11-0016 THE PRESIDIO.

**SECTION II.** Except where provided, nothing contained herein shall be construed to be an abridgment of any other ordinance of the City of Chandler, or of any other term or provision of Ordinance No. 3760.



# The Presidio

EXHIBIT "A"  
LEGAL DESCRIPTION

COMMENCING AT THE NORTHEAST CORNER OF SECTION 6, TOWNSHIP 2 SOUTH, RANGE 5 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;  
THENCE SOUTH (ASSUMED BEARING) ALONG THE EAST LINE OF SAID SECTION 6, A DISTANCE OF 388.64 FEET TO THE TRUE POINT OF BEGINNING;  
THENCE CONTINUING SOUTH 414.22 FEET TO THE CENTER LINE EXTENDED OF A CONCRETE IRRIGATION DITCH, FROM WHICH THE SOUTHEAST CORNER OF LOT 1 OF SAID SECTION 6 BEARS SOUTH, 751.70 FEET DISTANCE THEREFROM;  
THENCE SOUTH 89 DEGREES 20 MINUTES 42 SECONDS WEST, ALONG THE SAID CENTER LINE EXTENDED AND CENTER LINE OF SAID CONCRETE IRRIGATION DITCH, A DISTANCE OF 660.76 FEET;  
THENCE NORTH 422.39 FEET;  
THENCE SOUTH 89 DEGREES 56 MINUTES 48 SECONDS, 660.76 FEET TO THE TRUE POINT OF BEGINNING. EXCEPT THAT PORTION OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 6, SAID CORNER BEING MONUMENTED WITH A BRASS CAP IN HAND HOLE;  
THENCE SOUTH 00 DEGREES 11 MINUTES 03 SECONDS EAST, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER A DISTANCE OF 388.64 FEET TO THE NORTHEAST CORNER OF THAT PARCEL OF LAND DESCRIBED IN DOCKET 9332, PAGE 476, RECORDS OF MARICOPA COUNTY, ARIZONA;  
THENCE SOUTH 89 DEGREES 52 MINUTES 09 SECONDS WEST, ALONG THE NORTH LINE OF SAID PARCEL, A DISTANCE OF 33.00 FEET TO THE TRUE POINT OF BEGINNING;  
THENCE SOUTH 00 DEGREES 11 MINUTES 03 SECONDS EAST, PARALLEL WITH AND 33.00 FEET WEST OF SAID EAST LINE, A DISTANCE OF 414.63 FEET TO A POINT ON THE SOUTH LINE OF SAID PARCEL;  
THENCE SOUTH 89 DEGREES 09 MINUTES 39 SECONDS WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 32.00 FEET;  
THENCE NORTH 00 DEGREES 11 MINUTES 03 SECONDS WEST, PARALLEL WITH AND 65.00 FEET WEST OF SAID EAST LINE, A DISTANCE OF 415.02 FEET TO A POINT ON SAID NORTH LINE;  
THENCE NORTH 89 DEGREES 52 MINUTES 09 SECONDS EAST, ALONG SAID NORTH LINE, A DISTANCE OF 32.00 FEET TO THE TRUE POINT OF BEGINNING.  
SAID PARCEL CONTAINS 249,559 SQUARE FEET OR 5.729 ACRES MORE OR LESS.



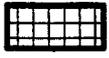
OLSSON ASSOCIATES  
7250 N. 16TH ST., SUITE 210  
PHOENIX, AZ. 85020  
OFFICE (602) 748-1000  
FAX (602) 748-1001  
JOB #: 050923



# Approved Phase 1 Church PDP and The Presidio PDP



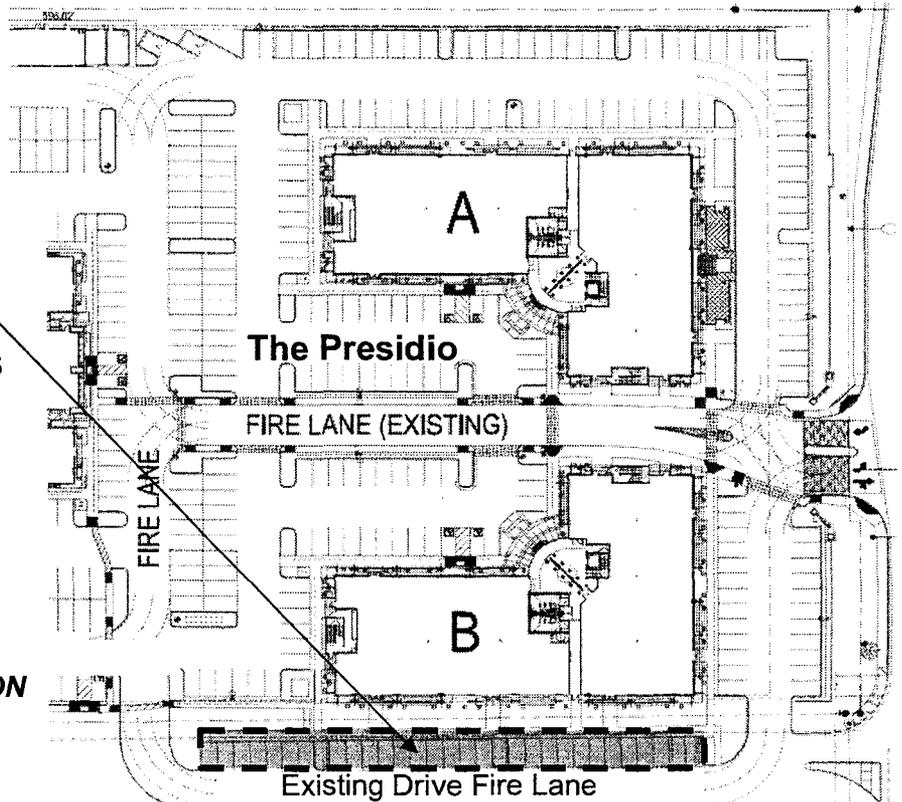
Location of 16 Additional Covered Parking Spaces (Phase 1) to Be Leased by Presidio on Church Property also Subject to Easement for Use by Presidio



Location of 23 Additional Covered Parking Spaces (Phase 2) to Be Leased by Presidio on Church Property also Subject to Easement for Use by Presidio

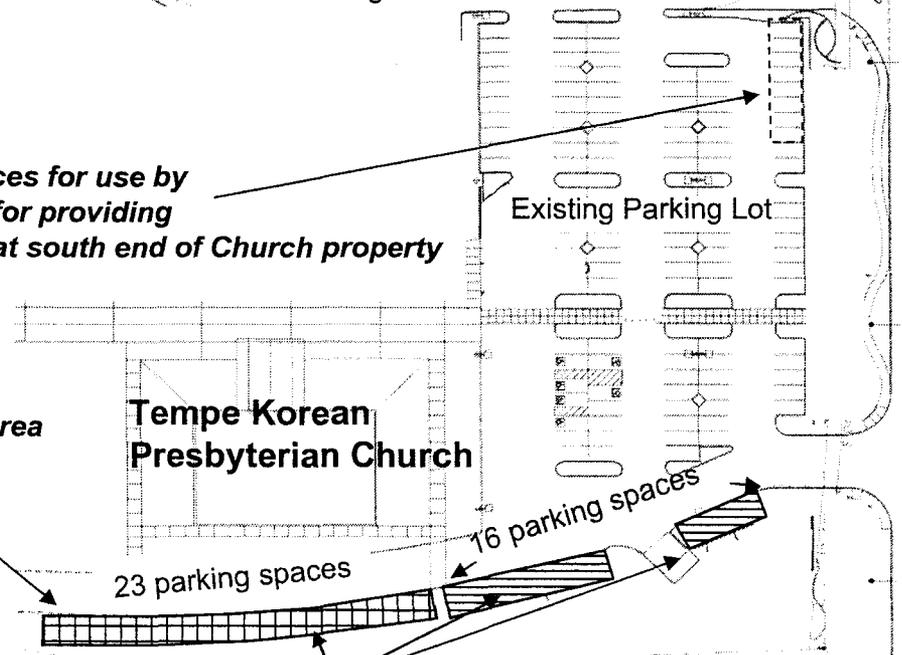
Location of 29 Spaces reserved for The Presidio's use in the 2006 RECIPROCAL EASEMENT AGREEMENT FOR PARKING ACCESS, INGRESS AND EGRESS

**NOTE: ALL PARKING SPACES ON CHURCH PROPERTY ARE AND WILL REMAIN UNDER THE OWNERSHIP OF THE CHURCH.**



Location of 8 uncovered spaces for use by The Presidio to compensate for providing 4 covered spaces to Church at south end of Church property

Location of 4 covered spaces for exclusive use by the Church in this area



**39 total parking spaces to be constructed here by the Presidio**