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AUG 13 2012

ORDINANCE NO. 4382

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 (DVR12-0014 STELLAR BUSINESS 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. Compliance with original conditions adopted by the City Council as Ordinance Nos. 3301 and 3761 in cases DVR01-0021 STELLAR BUSINESS PARK and DVR05-0049 STELLAR BUSINESS PARK, except as modified by condition herein.
2. Drive-thru bank operations shall be prohibited.
3. Large-scale gymnasiums shall be prohibited.

STELLAR BUSINESS CENTER

I. INTRODUCTION

Windsor at Chandler Business Park, LLC (“Windsor”) is the owner of approximately 11 net acres east of the northeast corner of Chandler Boulevard and Desert Breeze Boulevard (the “Site” and “Stellar Business Center”). The Site is part of a larger development known as Stellar Business Park, which is an existing I-1 PAD business park consisting of approximately 30 acres. The Site has developed as Stellar Business Center, a multi-tenant, commercial/industrial/office/showroom development consisting of five buildings totaling approximately 135,000 square feet. Windsor is requesting the Planned Area Development (“PAD”) be amended to allow (a) fitness, personal, and athletic training facilities with associated personal services, and (b) bank or credit union operations with ancillary customer services (the “Additional Uses”). These Additional Uses are appropriate and compatible additions to the existing use within Stellar Business Center. Other than this amendment to the PAD to allow the Additional Uses, no other changes are being made to the PAD, Preliminary Development Plan, or existing buildings.

II. SITE AND SURROUNDING AREA

A **Vicinity Map** of the Site is attached as **Exhibit 1**. The Site is designated on the City’s General Plan as Employment and is zoned PAD for I-1 and other uses as identified in Ordinance No. 3761. The Site fronts onto Chandler Boulevard. The Site is bordered on its northeast by a storage facility and on its east and north by vacant property. West of the Site is a City of Chandler (the “City”) police substation and south of the Site (across Chandler Blvd.) is Stellar Estates. An **Aerial Map** of the Site and surrounding area is attached as **Exhibit 2**.

III. PROPOSED PAD

As has been discussed, Windsor is requesting the PAD be expanded to allow (a) fitness, personal, and athletic training facilities, and (b) bank or credit union operations with ancillary customer services as additional uses to those already approved. Specifically, Windsor requests that Condition No. 8 in Ordinance No. 3761 (**Ordinance No. 3671** attached as **Exhibit 3**) be amended as follows (changes are noted in *bold italics*):

8. The following uses shall also be permitted on all lots: General office uses, medical and dental office and clinics, small animal veterinary clinics, showrooms with associated warehouse inventory, and warehousing uses as a component of an otherwise allowed use or as a self-storage facility, food or drink establishments excluding drive-through lanes and freestanding buildings, *fitness, personal, and athletic training facilities with associated personal services, and bank or credit union operations with ancillary customer services.*

The proposed Additional Uses are compatible with the PAD I-1 uses and the uses identified in Condition No. 8. The Additional Uses also will fit well with the established uses within Stellar Business Center and will not present any land use conflicts. It is anticipated that the Additional Uses will have an impact similar to and certainly no greater than the limited commercial, general office, medical office, and showroom uses already permitted.

IV. PROJECT TEAM

Owner:

Windsor at Chandler Business Park, LLC
Attn: Marc Pristawa
GID Investment Advisors, LLC
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High Street Tower
Boston, MA 02110
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Zoning:

Burch & Cracchiolo, P.A.
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V. CONCLUSION

Approval of the proposed PAD amendment to allow the Additional Uses will provide more opportunities for tenants to locate in the business park and additional services for residents and employees in the area. The Additional Uses are compatible with the existing uses in the business center and will not be a conflict. We request your approval.

Windsor at Chandler Business Park, LLC.

Exhibit A

PARCEL ONE:

LOT 1, STELLAR BUSINESS PARK, A SUBDIVISION ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 665 OF MAPS, PAGE 5.

PARCEL TWO:

AN ACCESS EASEMENT OVER A PORTION OF LOT 2, STELLAR BUSINESS PARK, A SUBDIVISION, AS CREATED BY THAT CERTAIN PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 665 OF MAPS, PAGE 5.