



#8

FEB 14 2013

Chandler



MEMORANDUM

Transportation & Development – CC Memo No. 13-015

DATE: JANUARY 25, 2013

TO: MAYOR AND CITY COUNCIL

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

FROM: JODIE M. NOVAK, MEP, SENIOR CITY PLANNER JMN

SUBJECT: DVR12-0038 ORTHOPEDIC GROUP
Introduction and Tentative Adoption of Ordinance No. 4428

Request: Rezoning from Planned Area Development (PAD) light industrial, general office, commercial, airport uses, adult vocational education uses with a mid-rise overlay to an amended PAD zoning adding medical office and athletic field to the permitted uses, and Preliminary Development Plan (PDP) for a medical office with athletic field

Location: East of the southeast corner of the Loop 202 Santan Freeway and Cooper Road off of Yeager Drive

Applicant: Cawley Architects, Paul Devers

Project Info: Approximately 5 acres; an orthopedic medical office facility and an athletic field for sports rehabilitation and club sports use

RECOMMENDATION

Upon finding the rezoning request to be consistent with the General Plan and Airpark Area Plan, Planning Commission and Planning Staff recommend approval. Upon finding the Preliminary Development Plan (PDP) to be consistent with the Commercial Design Standards, Planning Commission and Planning Staff recommend approval.

## **BACKGROUND**

The application requests approval to allow the addition of medical office and an athletic field to the Chandler Airport Center's permitted uses specifically for an approximate 5 acre property located east of Cooper Road and south of the Loop 202 Santan Freeway off of Yeager Drive. Chandler Airport Center (CAC) is a master planned mixed-use business park supporting the Chandler Municipal airport area. The subject site has yet to develop and is bounded on the north by the Santan Freeway, commercial office, recreation/fitness, and industrial development to the south, and undeveloped commercial and industrial properties to the west and east.

While the CAC permits general office uses, medical office use and athletic fields are not permitted. The development proposal includes a medical office facility specializing in the diagnosis, treatment, and rehabilitation of sports related injuries. The orthopedic facility offers orthopedic diagnosis, surgery, physical therapy, and sports performance training. The one-story building is approximately 18,742 square feet with 12,418 square feet of medical office and a 6,324 square foot surgery center. The orthopedic center has approximately 20 employees and 100 patients a day. The office is open Monday through Friday from 7 a.m. to 6 p.m.

An athletic field at approximately 2 acres abuts the medical facility. The field is large enough for football and soccer use. An integral part of the facility's rehabilitation program is use of the field by patients during business hours. Sports performance training, rehabilitation, and exercise will occur. After office hours from 6 p.m. to 10 p.m. and on weekends, the field is available to local sports clubs for practice and games. The field includes light poles not exceeding 50 feet high, a lighted scoreboard, bleachers, goal posts, and nets. Lights will be shielded to prevent light shining off the property. Lights will turn off by 10:30 p.m. Bleachers accommodate up to 34 people. There may be up to approximately 70 people at the field for a game. The field is artificial turf. The maintenance and operation of the field is taken care of by the Orthopedic Group ownership. Adjacent to the office is a half-court basketball area for patient and staff use only.

The building and site design meet the Commercial Design Standards as appropriate for a medical office site with a sports field. Architectural character is modern with custom design features to enhance building façades. The building's design adds character to the CAC area. Construction materials include concrete masonry units (CMU), synthetic stucco, glazing, and exposed steel elements. Elevations vary with vertical and horizontal plane changes, materials, texture, and paint colors. The building's main entrance is on the south side and flanked with two large masonry piers. The entry is covered and shaded by a steel shade canopy. The front façade is enhanced with clerestory windows and a storefront system varying in height. There's a second entrance for surgical patients that is designed similar to the main entrance area. On the north and east elevations, smooth face CMU façades are broken up with rectangular steel panels mounted with metal standoffs to be approximately 10 inches from the building wall. Windows are specifically placed to offer interior lighting. Four-sided architecture occurs with enhanced wall planes on all sides.

The site's frontage is angled along a curvilinear street creating a triangular landscape area ranging from approximately 30 feet to over 100 feet in depth. There are two entrance/exits on either side of the landscape area leading to the building's front. Pedestrian access is also

provided from the street. The western drive leads to the main parking area and access to parking in front of the building's entrance. Additional parking is provided on the building's east side. The building is located midway within the parcel accented by building foundation landscaping and an outdoor seating area. There is a landscaped area with barrel cactus and deer grass located between the entries to the building with benches and artwork for patients, families, and medical staff.

The project's artwork is provided in two manners. The building incorporates a series of rectangular steel panels along the east and west building elevations designed in a rhythmic pattern. Steel panel constructed flags matching the rhythmic pattern are provided in the outdoor seating area varying in height from 4 to 6 feet.

Landscaping around the parcel's perimeter is designed with Sissoo trees and shrubs. The site has existing turf and trees along the street frontage. Additional landscaping is provided on the site's interior. Decorative screen walls are provided along parking areas and equipment. A parking shade canopy is provided on the building's east side.

The development provides sufficient parking for the medical facility and activities of the athletic field during office hours and on weekends when the office is closed.

Building and monument signage is not included with this application and shall meet the requirements for CAC and Sign Code.

#### **GENERAL PLAN CONFORMANCE**

The General Plan Land Use Element designates this property for Employment land uses, promoting the development of general or light industrial uses and industrial support uses, and as a part of the more specific Airpark Area Plan. The Airpark Area Plan designates this site for Commercial/Office/Business Park which it is currently zoned for. The addition of a medical office and an athletic field on the subject site are compatible uses to existing general office, educational institutions, and recreational/instructional sports uses in the immediate vicinity of CAC.

#### **AIRPORT RECOMMENDATION**

The Airport Commission reviewed the zoning amendment request in accordance with the Airport Conflicts Evaluation Process. The airport's Economic Development Specialist/Airport Administrator has issued a conflicts evaluation report indicating that the Airport Commission determined the proposed uses do not constitute a conflict with existing or planned airport uses.

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

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood was held on November 5, 2012. One nearby area property owner attended to learn about the proposal.
- As of the date of this memo, Staff is not aware of any opposition or concern with this request.

**PLANNING COMMISSION VOTE REPORT**

Motion to Approve.

In Favor: 7    Opposed: 0

One Commissioner asked if the light bulbs would be visible from resident's backyards over 400 feet away on the north side of the Loop 202 freeway. Staff conveyed the light bulbs are also required to be shielded and aimed downward as best possible and that the particular type of pole and light will be determined during construction plan review.

**RECOMMENDATION**

**Rezoning**

Planning Commission and Planning Staff, upon finding consistency with the General Plan and Airpark Area Plan, recommend approval of the Rezoning request subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Orthopedic Group", kept on file in the City of Chandler Planning Services Division, in File No. DVR12-0038, except as modified by condition herein.
2. The development shall be in substantial conformance with all previous conditions adopted by Ordinance No. 3673, except as modified by condition herein.
3. 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.
4. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
5. 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.
6. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual # 4).
7. 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.

8. 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.
9. 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 ORTHOPEDIC GROUP shall use treated effluent to maintain open space, common areas, and landscape tracts.

10. All structures on the property shall remain below the protective surfaces as defined in Federal Aviation Regulation Part 77 and/or in relation to limits established in FAA determined Terminal Procedures (TERPS). All construction cranes shall be installed and operated in accordance with FAA rules and regulations including notification through the filing of FAA Form 7460-1, Notice of Proposed Construction or Alteration.
11. Prior to building permit issuance for any structures the developer shall provide a DETERMINATION OF NO HAZARD TO AVIATION approval as issued by the FAA after filing an FAA Form 7460, Notice of Proposed Construction or Alteration.
12. The developer shall provide the City with an avigational easement over the subject property in accordance with Section 3004 of the City of Chandler Zoning Code.

**Preliminary Development Plan**

Planning Commission and Planning Staff, upon finding consistency with the General Plan and Airport Area Plan, recommend approval of the Preliminary Development Plan request subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Orthopedic Group", kept on file in the City of Chandler Planning Services Division, in File No. DVR12-0038, except as modified by condition herein.
2. Approval by the Director of Transportation & Development of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Director of Transportation & Development for arterial street median landscaping.
3. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
4. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or association.
5. 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.

**PROPOSED MOTIONS**

**Rezoning**

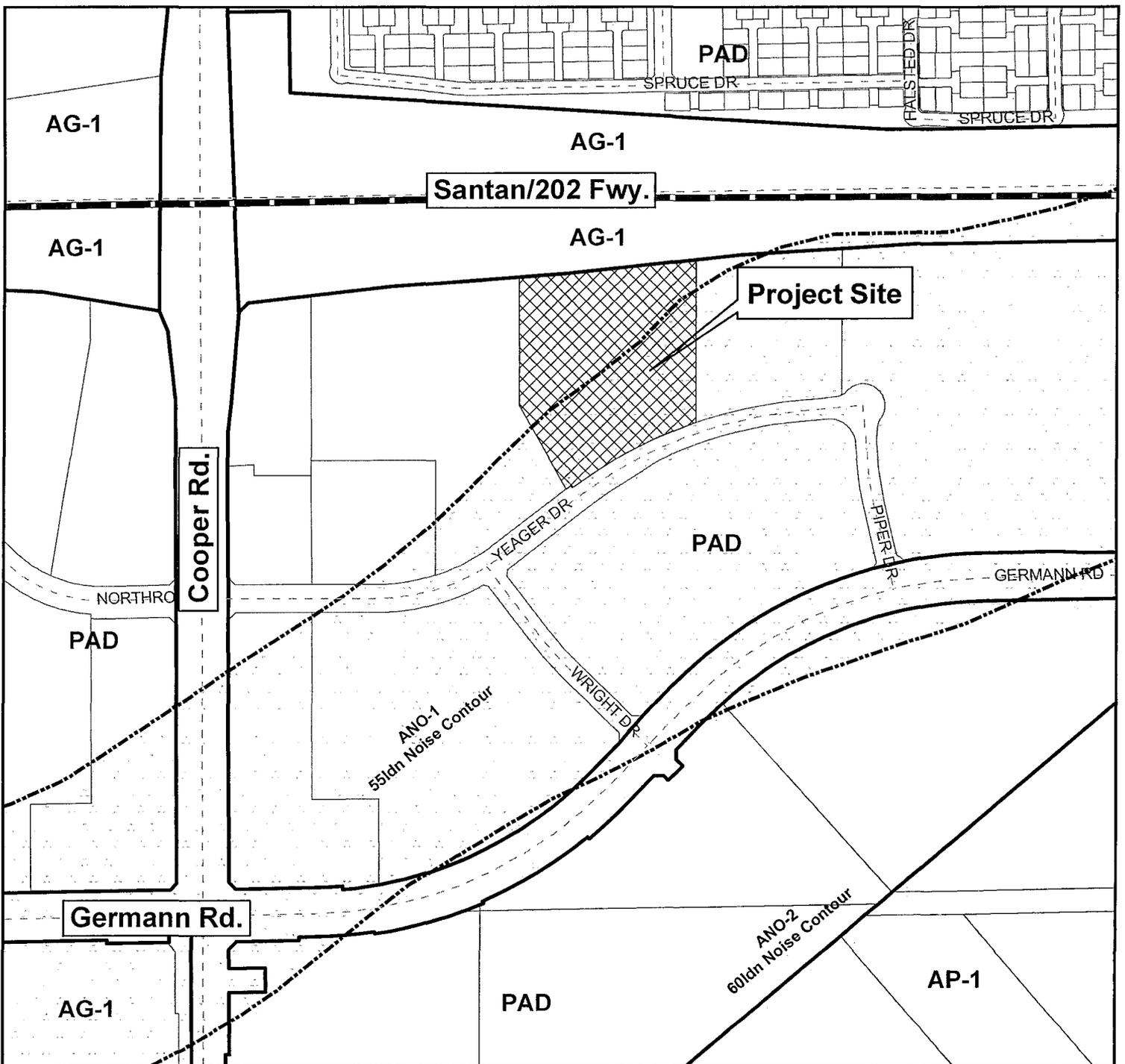
Move to introduce and tentatively adopt Ordinance No. 4428 approving rezoning request DVR12-0038 ORTHOPEDIC GROUP from PAD to PAD allowing a medical office and an athletic field, subject to the conditions as recommended by Planning Commission and Planning Staff.

**Preliminary Development Plan**

Move to approve Preliminary Development Plan request DVR12-0038 ORTHOPEDIC GROUP, subject to the conditions as recommended by Planning Commission and Planning Staff.

**Attachments**

1. Vicinity Maps
2. Site Plan
3. Landscape Plan
4. Building Elevations
5. Airport Conflicts Evaluation report
6. Prior Ordinance No. 3673
7. Ordinance No. 4428
8. Development Booklet, Exhibit A

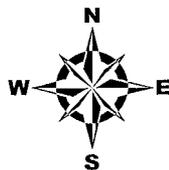
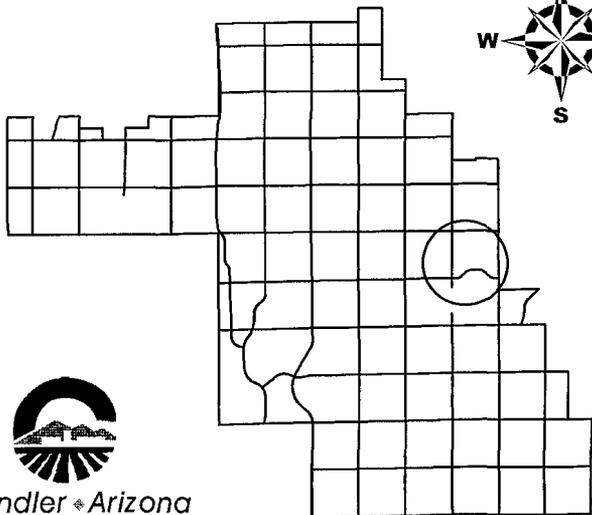


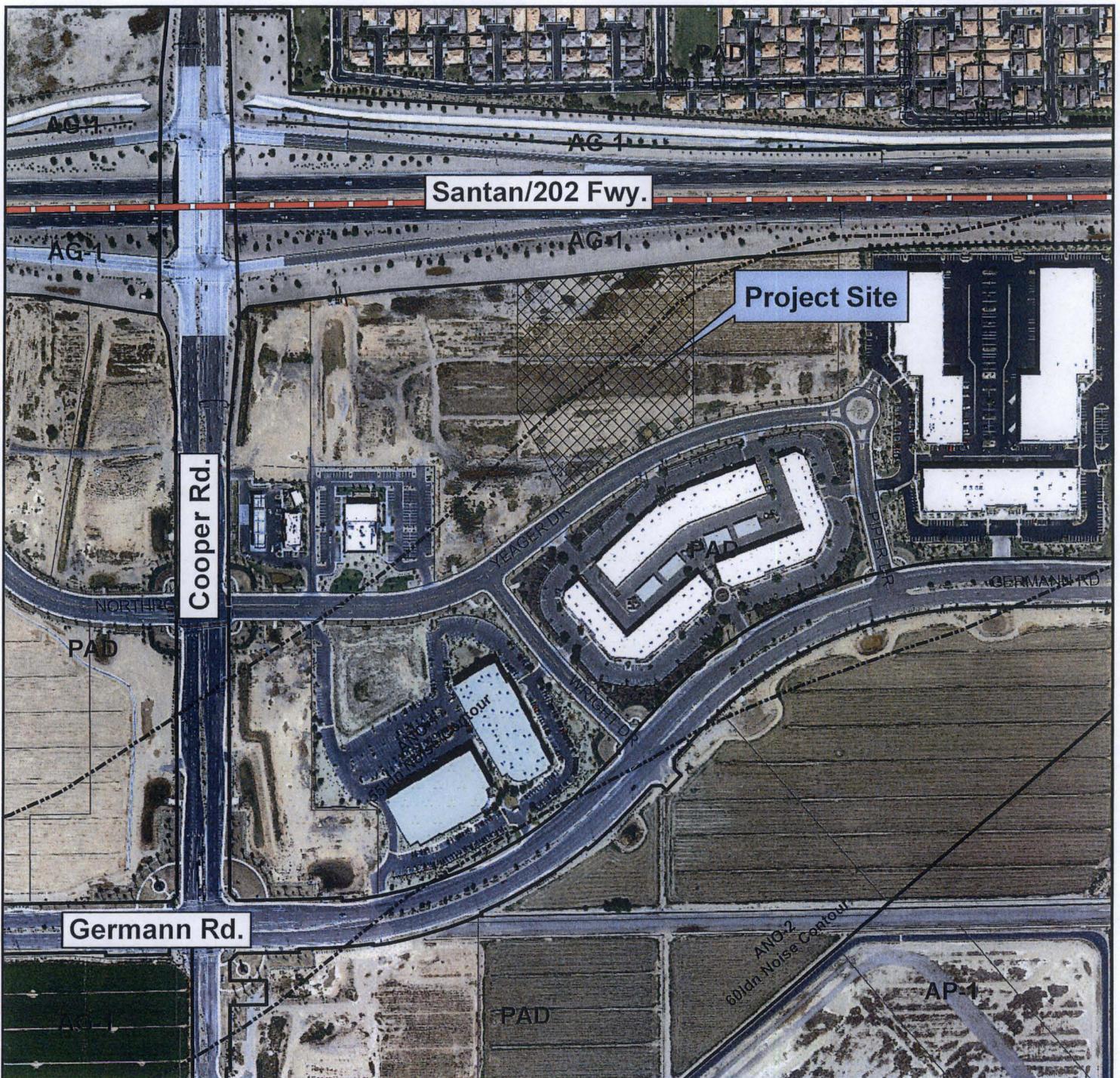
## Vicinity Map



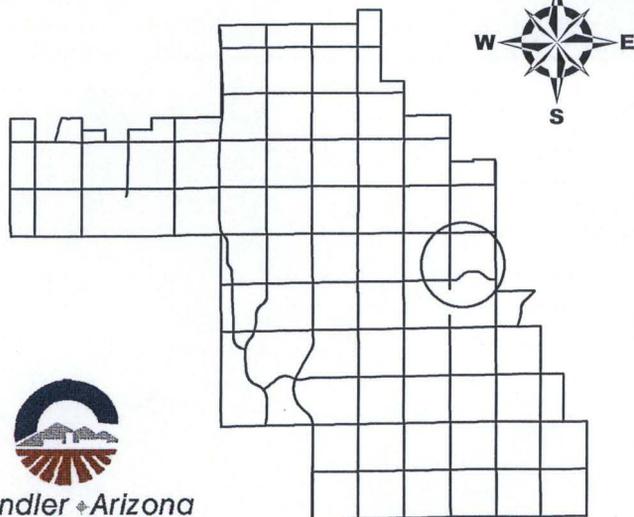
DVR12-0038

Orthopedic Group





## Vicinity Map



DVR12-0038

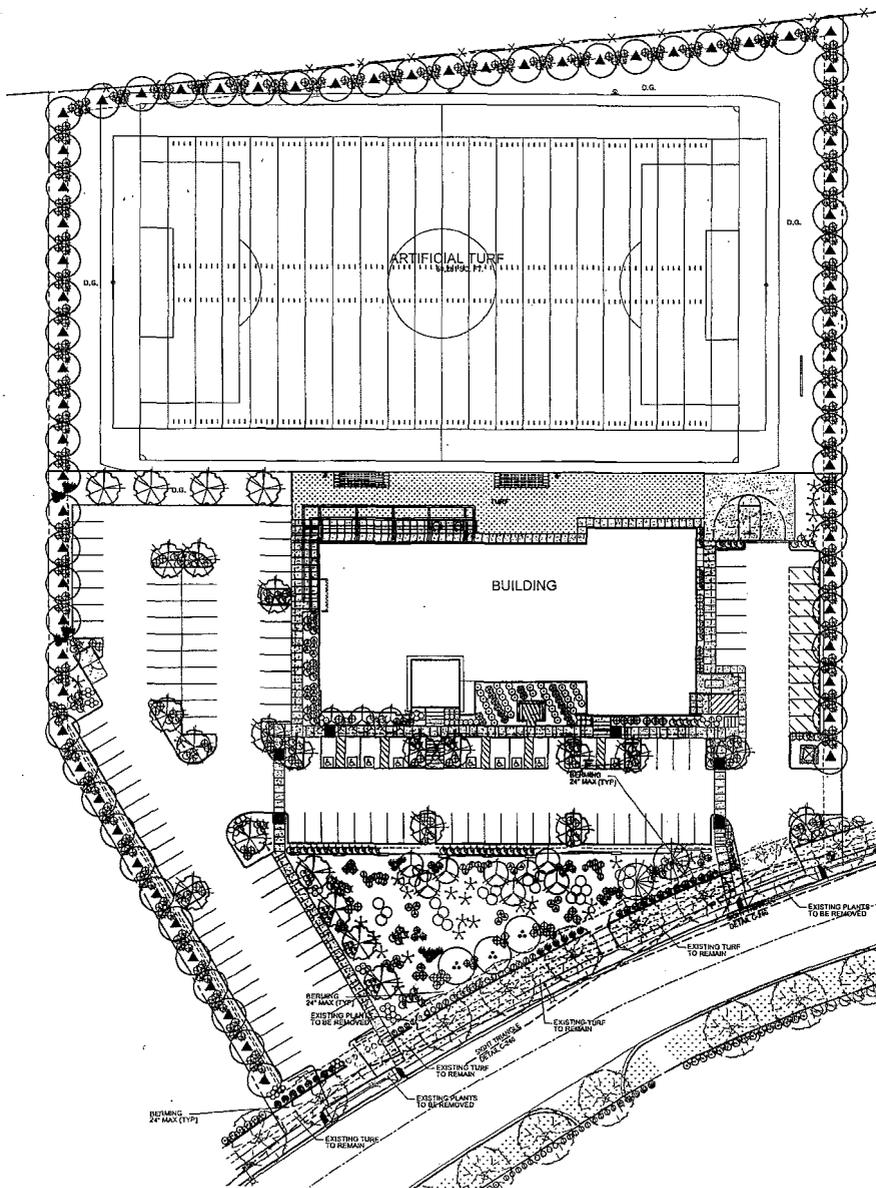
Orthopedic Group

CITY OF CHANDLER 9/13/2012



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Where Values Make The Difference





LANDSCAPE LEGEND

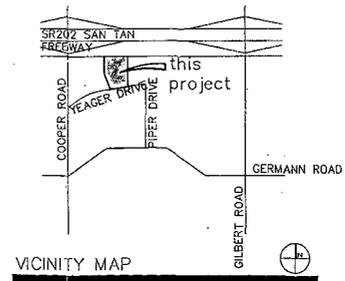
Symbol	Plant Name	Height	Quantity
	ULMUS PARVIFOLIA EVERGREEN ELM 24" BOX (MATCHING)	8.0	26
	BAUHINIA CONGESTA ANACACHO ORCHID 15 GALLON	8.0	12
	FRAXINUS VELLUTINA ASH TREE 48" BOX	17.0	3
	FRAXINUS VELLUTINA ASH TREE 36" BOX	12.0	4
	DALBERGIA SISSOO SISSOO TREE 24" BOX	10.0	69
	MUHLENBERGIA RIGENS DEER GRASS 5 GALLON	17	
	EREMOPHILA MACULATA SPOTTED EMU BUSH 5 GALLON	27	
	LEUCOPHYLLUM FRUTESCENS TEXAS RANGER SAGE 5 GALLON	376	
	CAESALPINIA MEXICANA MEXICAN BIRD OF PARADISE 5 GALLON	30	
	EUPHORBIA BIGLANDULOSE COPPER PLANT 5 GALLON	30	
	HESPERALOE PARVIFLORA RED YUCCA 5 GALLON	65	
	DASYLIRION WHEELERI DESERT SPOON 5 GALLON	22	
	RUELLIA PENINSULARIS BAJA RUELLIA 5 GALLON	165	
	SIMMONDSIA CHINENSIS JOJOBA 5 GALLON	24	
	BOUGAINVILLEA 'ROSENKA' BOUGAINVILLEA 5 GALLON	30	
	ECHINOCACTUS GRUSONII GOLDEN BARREL CACTUS 1 GALLON	34	
	ROSMARINUS OFFICINALIS 'PROSTRATUS' DWARF ROSEMARY 1 GALLON	35	
	LANTANA MONTEVIDENSIS 'PURPLE' TRAILING LANTANA 1 GALLON	60	
	WEDELIA TRILOBATA YELLOW DOT 1 GALLON	24	
	1/2" SELECT MADISON GOLD DECOMPOSED GRANITE 2" DEPTH IN ALL LANDSCAPE AREAS		

EXISTING PLANT MATERIALS LEGEND

Sym.	Plant Name	Caliper	Size	Qty.	Height install.
<b>Trees</b>					
	Fraxinus uhdei Evergreen Ash	1.5"	24" Box	245	10'
<b>Shrubs</b>					
	Dodonaea viscosa 'Purpurea' Purple Hop bush		5 gal.	161	
	Leucophyllum cordatum Violet Starflower		5 gal.	210	
	Leucophyllum frutescens compacta Cottonwood Green Cloud Sage		5 gal.	428	
	Platanus fraxeri Flower's Photoia		5 gal.	257	
	Ruellia pentstemonifolia Desert Rueble		5 gal.	161	
<b>Groundcovers</b>					
	Rosmarinus officinalis 'Prostratus' Dwarf Rosemary		1 gal.	430	
<b>Vines</b>					
	Bougainvillea 'Rosenka' Bougainvillea		5 gal.	98	

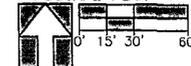
MASS PLANTING

	803 SOD 172,088 S.F. (TURF PER SPEC.)
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VICINITY MAP

LANDSCAPE PLAN



T.J. McQUEEN & ASSOCIATES, INC.  
LANDSCAPE ARCHITECTURE  
URBAN DESIGN

SITE PLANNING  
8433 East Cholla St.  
Scottsdale, AZ 85260  
PH. (602) 285-0320 FX. (602) 286-5519  
EMAIL: T.J.MCQUEEN@TJMA.NET



TJM & ASSOCIATES EXPRESSLY RESERVES ITS COMMON LAW, COPYRIGHT & OTHER PROPERTY RIGHTS IN THESE PLANS. THESE PLANS ARE NOT TO BE REPRODUCED, CHANGED OR COPIED IN ANY FORM OR MANNER WHATSOEVER, NOR ARE THEY TO BE ASSIGNED TO ANY THIRD PARTY WITHOUT FIRST OBTAINING THE EXPRESSED WRITTEN PERMISSION & CONSENT OF TJM & ASSOCIATES.



730 N. 52nd Street  
Suite 203  
Phoenix, AZ 85008  
602.399.5060



ORTHOPEDIC GROUP @  
CHANDLER AIRPORT CENTER

CHANDLER  
ARIZONA

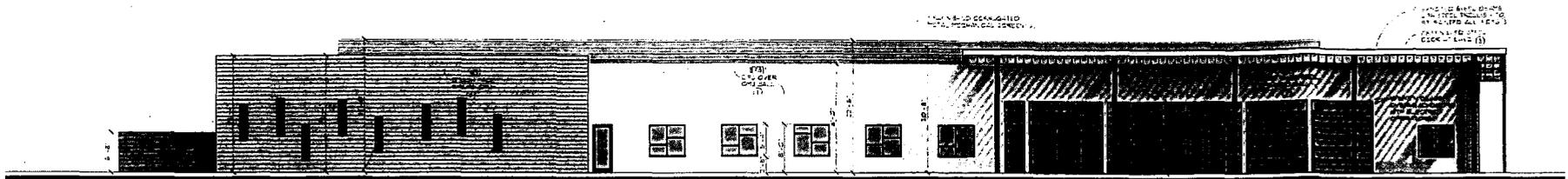
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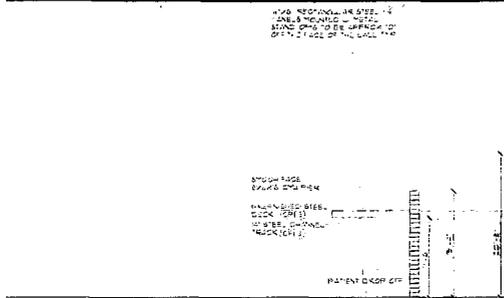
Landscape Plan  
730 N. 52nd St.  
Phoenix, AZ  
602.399.5060

Discussions between all project participants shall be limited to the project and shall not constitute an offer of any services or products.

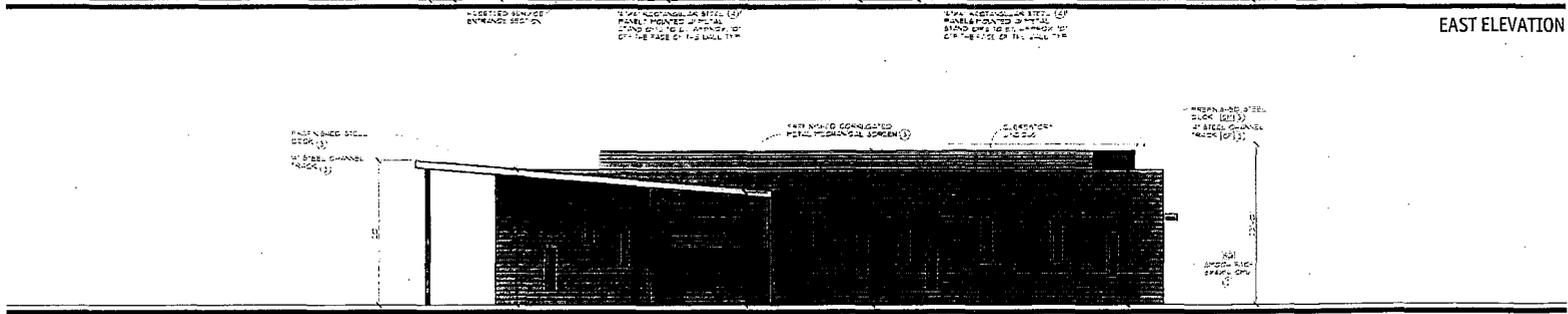
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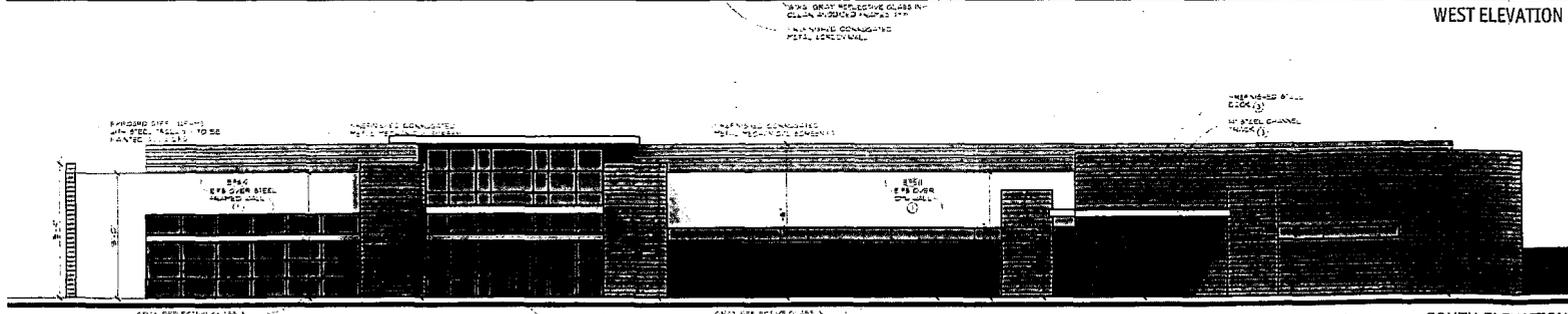
NORTH ELEVATION



EAST ELEVATION



WEST ELEVATION



SOUTH ELEVATION

GENERAL NOTES

1. SEE ARCHITECTURAL DRAWINGS FOR MATERIALS.
2. ALL GLASS SHALL BE LOW-E, 1/2\"/>

MATERIAL KEY

- 1. BRICK - BRICKWORK
- 2. CONCRETE - CONCRETE
- 3. GLASS - GLASS
- 4. METAL - METAL

CANOPY KEY

- 1. GLASS CANOPY
- 2. METAL CANOPY

GLAZING KEY

- 1. GLASS - GLASS
- 2. METAL - METAL

COLOR KEY

COLOR KEY	COLOR	THE COLOR IS
(1)	CHERRY WOOD	SEE 0210
(2)	W/STEEL CHANNEL	SEE 0210
(3)	CONCRETE	SEE 0210
(4)	GLASS	SEE 0210
(5)	BRICKWORK	SEE 0210

1. MATERIALS TO BE USED AS SHOWN IN THIS KEY.
2. MATERIALS TO BE USED AS SHOWN IN THIS KEY.
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www.cawleyarchitect.com  
730 N. 52nd Street  
Suite 203  
Phoenix, AZ 85008  
602.393.5000



ORTHOPEDIC  
GROUP @  
CHANDLER  
AIRPORT CENTER

CHANDLER  
ARIZONA

DATE  
12-13-2012

LGE  
Landscape Group, Inc.

All drawings are to be used as shown and are not to be modified without the written consent of the architect. The architect is not responsible for any errors or omissions in these drawings. The architect is not responsible for any errors or omissions in these drawings. The architect is not responsible for any errors or omissions in these drawings.

EXTERIOR ELEVATIONS

1/8" = 1'-0"  
0 4 8 12

Project: ORG  
A7.1



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**MEMORANDUM**

**Economic Development – Airport Memo No. AP13-019**

**DATE:** NOVEMBER 15, 2012

**TO:** JEFF KURTZ, ZONING ADMINISTRATOR

**FROM:** LORI QUAN, AIRPORT ADMINISTRATOR/ECONOMIC DEVELOPMENT  
SPECIALIST *LQ*

**SUBJECT:** AIRPORT CONFLICTS EVALUATION – AIRPORT COMMISSION  
FINDINGS FOR PROPOSED ORTHOPEDIC GROUP AT CHANDLER  
AIRPORT CENTER

The Airport Commission discussed the rezoning proposal for a ±5 acre site in Chandler Airport Center for the Orthopedic Group at their regular meeting on November 14, 2012. The subject property is currently zoned Planned Area Development (PAD) and the applicant is seeking to expand the allowable uses to include medical office.

Finding: The Commission determined that the Orthopedic Group does not constitute a conflict with existing or planned airport uses.

Conflict(s) Cited: None.

Conflict Resolution(s): None.

Commission Members in Attendance: Schulyer McCorkle, Chelle Daly, Gary DeHoff, David Sperling and Kelly McMullen. This attendance represented a quorum.

In compliance with the Airport Conflicts Evaluation Process, the Commission voted 5-0 to forward a report to the Planning Administrator and City Council indicating the findings noted above.

cc: Jodie Novak, City Planner

**ORDINANCE NO. 3673**

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) AND PLANNED AREA DEVELOPMENT (PAD) MIXED USE COMMERCIAL AND INDUSTRIAL USES TO PLANNED AREA DEVELOPMENT (PAD) LIGHT INDUSTRIAL, OFFICE, COMMERCIAL AND AIRPORT USES WITH A MID-RISE BUILDING OVERLAY (DVR04-0037 CHANDLER AIRPORT 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 AG-1 to PAD with a Mid-Rise Building Overlay, 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. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual # 4).

4. 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.
5. 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.
6. The development shall provide additional landscaping to include one (1) 24-inch box tree and three (3) 5-gallon shrubs for every 20 feet of freeway frontage to be installed in the freeway right-of-way.
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. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Chandler Airport Center Zoning Application", kept on file in the City of Chandler Planning Services Division, in File No. DVR04-0037 Chandler Airport Center, except as modified by condition herein.
9. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or a Chandler Airport Center property owners' association.
10. 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.
11. 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.
12. 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 development shall use treated effluent to maintain open space, common areas, and landscape tracts.

13. The development shall provide sound attenuation measures in accordance with ADOT standard details and requirements excepting any decibel reductions or sound attenuation credits for the use of a rubberized asphalt-paving surface. Any noise mitigation if required is the responsibility of the development.
14. Monument sign's sign panels shall have an integrated or decorative cover panel until a tenant name is added to the sign.
15. The uses within the Office/Light Industrial with Airport Access area shall be allowed under the following criteria. For the purposes of the stipulation, the following definitions are used:

*Airpark* – Those areas outside of the airport property being adjacent to and/or having direct access to paved taxi lanes and appropriate taxi lane safety areas which allow aircraft access to the airport runway/taxiway system through the crossing of the airport property line.

*Airport* – Those areas that are bordered by and are interior to the airport property line. Said property contains the runway/taxiway system.

*Runway/Taxiway system* – The areas within the airport property consisting of paved areas designated for the take-off, landing, parking, taxiing or other movement of fixed wing and rotary wing aircraft.

#### PROHIBITED USES

The uses prohibited within the airpark area include any activity that provides aeronautical services to the public in direct support of aircraft operations, maintenance, and service/repair.

#### PERMITTED USES

The uses permitted within the airpark area are those uses allowed under the I-1 zoning district, excepting those more airport intensive prohibited uses identified above. Permitted uses are generally described as transitional uses that are less airport intensive uses such as offices or businesses that use aircraft as part of the office or business. These businesses may self-fuel, maintain, or repair their own aircraft in accordance with the Airpark Rules and

Regulations. Uses which require access between the Airport and Airpark require an Airport access permit.

16. No television, communication towers or stand-alone antennas shall be constructed on the property. All structures on the property shall remain below the protective surfaces as defined in Federal Aviation Regulation Part 77 and detailed in the Airport Layout Plans.
17. Developer acknowledges that City does not guarantee the actual physical connection of the property from the Airpark area to the airport area. The Developer has the option to construct the on-airport taxiway connection subject to a Development Agreement.

Since zoning cannot guarantee or provide access to the airport, said access needs to be addressed through a development agreement. Developer understands and agrees that no right of access to any part of the Chandler Municipal Airport, including any of its taxiways or runways, accrues to or runs with any of the land that is subject to this zoning, including the airpark, as a consequence of this zoning. An owner or occupier of any portion of the airpark may apply to the City for permission to access and use the on-airport taxiways or runway. However, the decision to grant such permission shall be in the sole discretion of the City, and in no event, shall the granting of such permission constitute a right of access running with the permittee's property at the airpark.

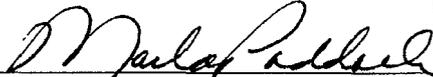
18. The developer acknowledges that the hangar portion of the buildings in the Airpark area will not be for aeronautical services to the public, and that a certificate of occupancy needs to be obtained before the hangar can be utilized. In addition, each development with intended aircraft hangar construction must provide a paved aircraft-parking apron adjacent to the hangar and the taxiway safety area. Said area must be of sufficient size to be equal to or less than the square footage of the aircraft hangar.
19. All development shall comply with the approved FAR Part 150 Noise Compatibility Study and specifically sound proofing the buildings to achieve a 25- to 30-db reduction within the applicable noise contours.
20. A separate comprehensive sign package for the buildings shall be required at the time the first Preliminary Development Plan (PDP) is submitted.
21. The trail connection from the Paseo Canal to the central portion of the site shall be integrated with the development as each PDP application is reviewed.

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 14<sup>th</sup> day of April 2005.

ATTEST:

  
 CITY CLERK
   
 MAYOR



PASSED AND ADOPTED by the City Council this 28<sup>th</sup> day of April 2005.

ATTEST:

  
 CITY CLERK
   
 MAYOR



**CERTIFICATION**

I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 3673 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 April 2005, and that a quorum was present thereat.

  
 CITY CLERK

APPROVED AS TO FORM:

  
 CITY ATTORNEY

PUBLISHED in the Tribune on May 4 & 11, 2005

## Legal Description Chandler Airport Center

Job No. 03-043

Revised March 22, 2005  
May 22, 2004

### PARCEL NO. 1:

That portion of the Southwest quarter of Section 1, Township 2 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa country, Arizona described as follows:

COMMENCING at the Southwest corner of Southwest quarter of said Section 1: thence North (an assumed bearing), along the West line of said Southwest quarter, 1759.72 feet to the POINT OF BEGINNING;

Thence N85°43'20"E, 1867.893 feet; thence N85°43'20"E, 601.33 feet; thence N89°32'11"E, 177.31 feet to a point on the East line of said Southwest quarter; thence S00°11'09"W, along said East line, 594.58 feet to the Southeast corner of the North half of said Southwest quarter; thence S89°21'14"W, along the South line of the North half of said Southwest Quarter, 2637.82 feet to the Southwest corner of the North half of said Southwest quarter; thence North, along the West line of said Southwest quarter, 438.60 feet to the POINT OF BEGINNING.

### PARCEL NO. 2:

Farm Unit "E" or the Southwest quarter of the Southwest quarter of Section 1, Township 2 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

### PARCEL NO. 3:

Farm Unit "F" or the Southwest quarter of the Southwest quarter of Section 1, Township 2 South, Range 5 East of the Gila and Salt River base and Meridian, Maricopa County, Arizona;

EXCEPT COMMENCING at the South quarter corner of said section 1; thence N0°05'11"W along the North-South midsection line of said Section 1, 33.00 feet to the POINT OF BEGINNING.

Thence S89°05'06"W along a line of 33.0 feet North of and parallel to the South line of the said Southwest quarter Section 1, 666.777 feet (record) 666.26 feet (calculated measured); thence N49°39'54"E, 834.73 feet (record), N49°56'20"E 834.72 feet (calculated measured); thence S40°20'06"E, 45.81 feet (record) 45.79 feet (calculated measured) to a point on the aforesaid North-South midsection line of said Section 1; thence S0°05'11"E along said North-South midsection line, 494.72 feet to the POINT OF BEGINNING.

### PARCEL NO. 4:

The Northwest quarter of Section 12, Township 2 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

**ORDINANCE NO. 4428**

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM PAD TO PAD (DVR12-0038 ORTHOPEDIC GROUP) 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, subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Orthopedic Group", kept on file in the City of Chandler Planning Services Division, in File No. DVR12-0038, except as modified by condition herein.
2. The development shall be in substantial conformance with all previous conditions adopted by Ordinance No. 3673, except as modified by condition herein.
3. 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.

4. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
5. 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.
6. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual # 4).
7. 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.
8. 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.
9. 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 ORTHOPEDIC GROUP shall use treated effluent to maintain open space, common areas, and landscape tracts.

10. All structures on the property shall remain below the protective surfaces as defined in Federal Aviation Regulation Part 77 and/or in relation to limits established in FAA determined Terminal Procedures (TERPS). All construction cranes shall be installed and operated in accordance with FAA rules and regulations including notification through the filing of FAA Form 7460-1, Notice of Proposed Construction or Alteration.
11. Prior to building permit issuance for any structures the developer shall provide a DETERMINATION OF NO HAZARD TO AVIATION approval as issued by the FAA after filing an FAA Form 7460, Notice of Proposed Construction or Alteration.
12. The developer shall provide the City with an avigational easement over the subject property in accordance with Section 3004 of the City of Chandler Zoning Code.

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 Transportation & 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 \_\_\_\_\_, 2013.

ATTEST:

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CITY CLERK

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MAYOR

PASSED AND ADOPTED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

ATTEST:

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

\_\_\_\_\_  
MAYOR

**CERTIFICATION**

I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 4428 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2013, and that a quorum was present thereat.

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

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY *GAG*

PUBLISHED:

Ordinance 4428

Legal Description:

The land referred to herein below is situated in the county of Maricopa, state of Arizona and is described as follows:

That portion of lot 3-b according to the minor land division of Chandler Airport Center phase 1, recorded in book 1091 of maps, page 45, of official records of Maricopa County, Arizona, located within the southwest quarter of section 1, 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 lot 3-B; thence South  $86^{\circ}19'57''$  West, Along the North line of said lot 3-B, said line also being the South right-of-way line of sr 202 (san tan freeway) as recorded in document no. 88-017426 and 02-1019690, of official records of Maricopa County, Arizona, for a distance of 288.06 feet; thence south  $84^{\circ}03'08''$  west, continuing along said north line, a distance of 115.20 feet to the point of beginning; thence leaving said North line, South  $00^{\circ}00'00''$  East, for a distance of 460.09 feet to a point on the north right-of-way line of Yeager Drive and the South line of said lot 3-B, said point being non-tangent curvature, concave Southeasterly, whose center bears South  $18^{\circ}10'51''$  East, for a radial distance of 1230.00 feet; thence Westerly, along said right-of-way and curve to the left having a radius of 1230.00 feet, through a central angle of  $16^{\circ}02'19''$ , an arc length of 344.31 feet; thence leaving said right-of-way North  $30^{\circ}36'25''$  West, for a distance of 253.55 feet; thence north  $00^{\circ}00'00''$  west, for a distance of 349.43 feet to a point on the North line of said lot 3-B; thence continuing along the North line of said lot 3-B, North  $85^{\circ}45'41''$  East, for a distance of 52.43 feet; thence continuing along the North line of said lot 3-B, North  $84^{\circ}03'08''$  East, for a distance of 386.82 feet to the point of beginning.