

#9

SEP 25 2008



Chandler • Arizona
Where Values Make The Difference

MEMORANDUM Planning and Development – CC Memo No. 08-194

DATE: SEPTEMBER 18, 2008

TO: MAYOR AND CITY COUNCIL

THRU: W. MARK PENTZ, CITY MANAGER *W. Mark Pentz*
 JEFF KURTZ, ACTING PLANNING & DEVELOPMENT DIRECTOR *J Kurtz*

FROM: KEVIN MAYO, ACTING PLANNING MANAGER *KM*

SUBJECT: DVR08-0033 SANTAN MIXED USE AMENDED
 Introduction and Tentative Adoption of Ordinance No. 4103

Request: Rezoning from Planned Area Development (PAD) for office to PAD amended to allow office and educational facilities within an existing office building

Location: SWC Ray Road and the Loop 101 (Price Freeway)

Applicant: Jennifer Wittman
 Planning Matters L.L.C.

Project Info: 9.2-acre site, 5-story 220,000 square-foot office building

RECOMMENDATION

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

BACKGROUND

The subject 9.2-acre parcel and 5-story office building is part of the larger 18.2-acre, The Park at Santan commercial development located at the southwest corner of Ray Road and the Loop 101 freeway. The development is bordered to the north by Ray Road with the San Tan Corporate Center office development located north of Ray Road. To the west is the existing single-family residential neighborhood, D’Arcy Ranch. Adjacent on the south is the Pinnacle Terrace apartment complex, and to the east is the Loop 101 (Price Freeway). The Park at Santan most recently received zoning and Preliminary Development Plan (PDP) approval for the construction of a mixed-use commercial development consisting of the 5-story 220,000 square-foot office building, a 4-level parking garage, 35,000 square-feet of retails space, and 27,000 square-feet of

single-story office space. The majority of the site, with the exception of three freestanding retail pads along Ray Road, is currently developed.

This application requests to amend the existing PAD zoning for the five-story office building. This building is currently zoned PAD to allow general office uses. The proposed amendment seeks to expand the permitted uses to include educational facilities in addition to the permitted office uses. The application does not propose any changes to the building or site as previously approved through a PDP.

The University of Phoenix seeks to occupy approximately 25,000 square-feet within the 220,000 square-foot 5-story office building. The facility will include approximately 11 classrooms encompassing approximately 10,000 square-feet, as well as a 4,000 square-foot student resource center and 6,000 square-feet of administration offices. The administration offices generally operate Monday through Friday 8 a.m. to 6 p.m. The student resource center is open Monday through Friday 8 a.m. to 10 p.m., and Saturday and Sunday 8 a.m. to 4 p.m. Classes will be offered onsite Monday through Friday 6 p.m. to 10 p.m. and Saturday 8 a.m. to 4 p.m.

The site provides appropriate parking for both general office use and educational facilities like The University of Phoenix. Both types of uses are required to provide parking at 1 space for each 200 square feet of building area. The site is parked at this ratio. In addition, the parking demand for educational facilities is typically in the evening after other businesses within the commercial development are closed.

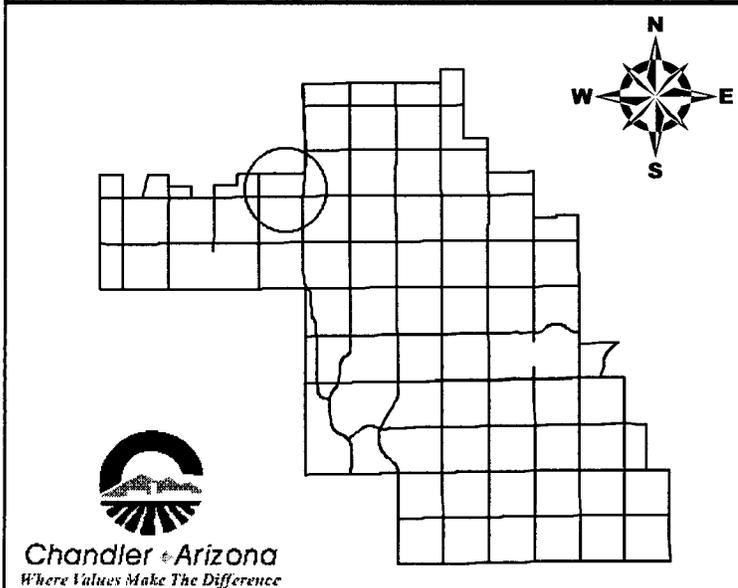
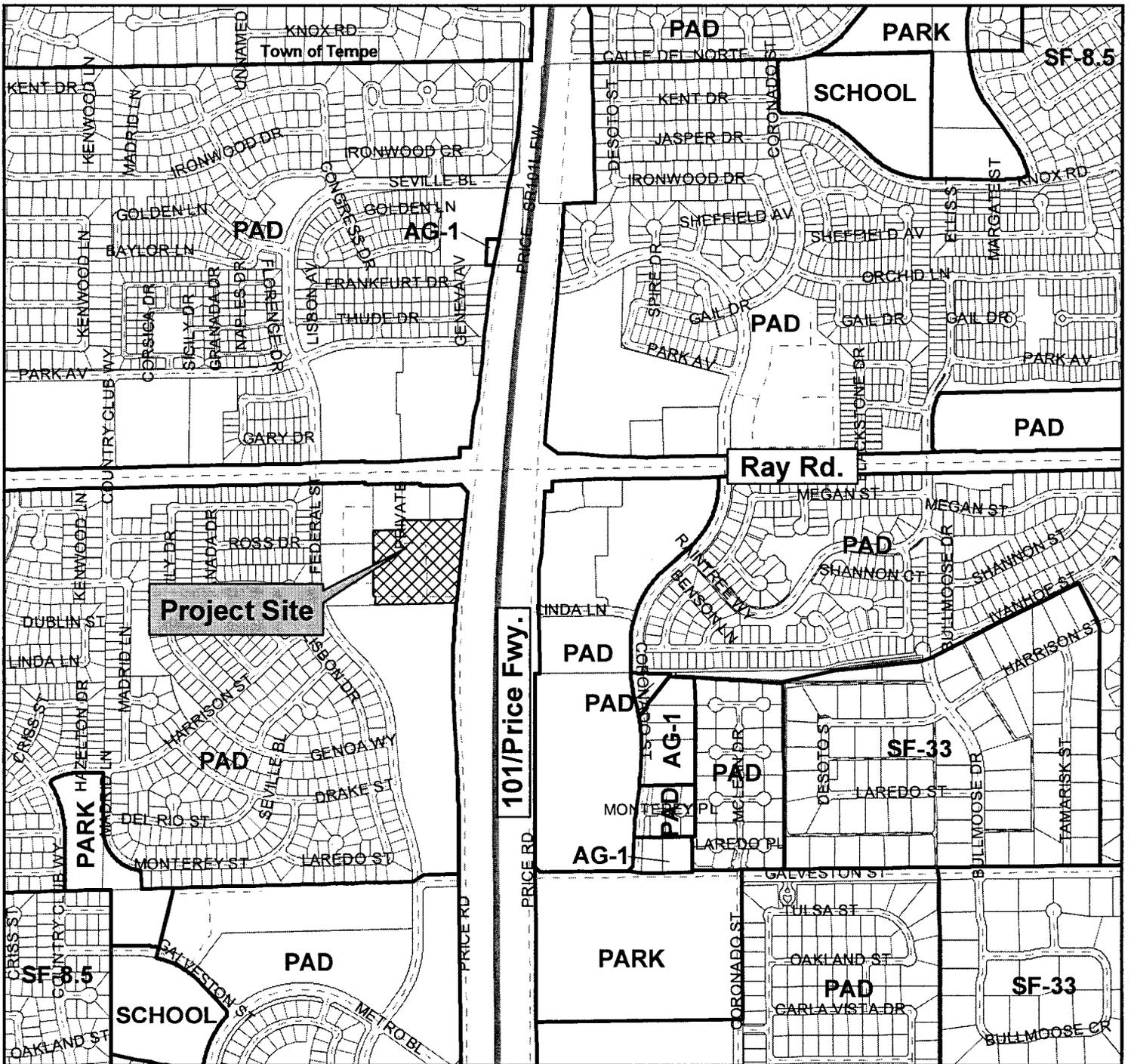
Building mounted signage and multi-tenant freestanding monument signs were approved through the original PAD zoning and Comprehensive Sign Plan for The Park at Santan. Any signage for the educational facilities would need to comply with the approved comprehensive sign plan.

DISCUSSION

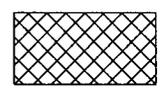
Staff is of the opinion that amending the PAD zoning to allow educational facilities such as the University of Phoenix, in addition to the already permitted general office uses within the 5-story office building at The Park at Santan is appropriate and compatible with the existing development. The school use occurs in the evening and on Saturdays when the offices are typically not in use. The site provides the required parking to accommodate both general office uses and educational facilities. Staff finds the educational use compliments the mix of office and retail uses within The Park at Santan and surrounding area. Educational facilities such as The University of Phoenix provide Chandler residents the opportunity to expand their education through facilities close to home that provide flexible class schedules.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- The request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on September 4, 2008. No one attended other than the applicant.
- At the time of the memo, Staff is not aware of any opposition to this request.

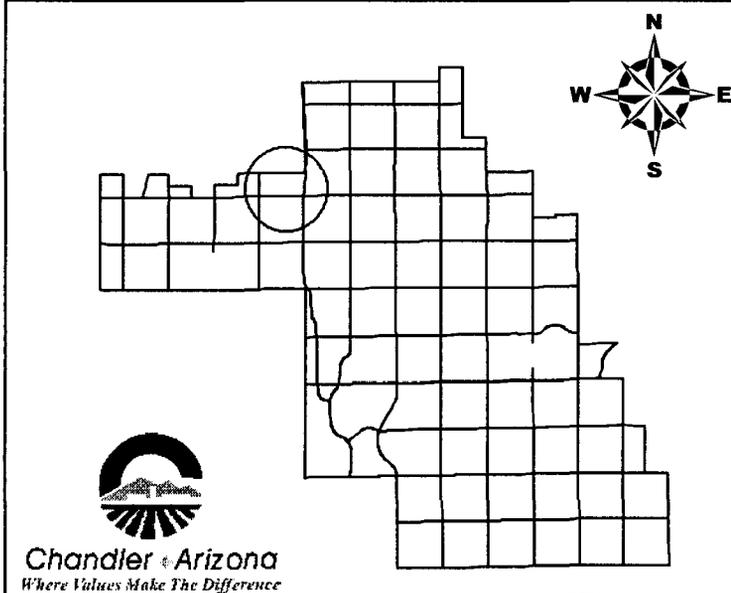


Vicinity Map



DVR08-0033

Santan Mixed Use Amended



Vicinity Map



DVR08-0033

Santan Mixed Use Amended



Chandler • Arizona
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CITY OF CHANDLER 8/22/2008

ORDINANCE NO. 4103

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 PLANNED AREA DEVELOPMENT (PAD) AMENDED (DVR08-0033 SANTAN MIXED USE AMENDED) 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 Planned Area Development (PAD) for office to PAD amended to allow office and educational facilities within an existing office building, subject to the following conditions:

1. Development shall be in substantial conformance with the exhibits and representations within "Santan Mixed Use Amended", kept on file in the City of Chandler Planning Services Division, in File No. DVR08-0033, except as modified by condition herein.

CERTIFICATION

I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 4103 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the _____ day of _____, 2008, and that a quorum was present thereat.

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

PUBLISHED:

ORDINANCE NO. 4103

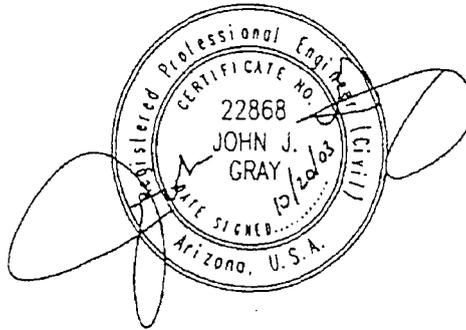
Attachment 'A'



Evans, Kuhn &
Associates, Inc.

727 E. Bethany Home Road
Suite D225
Phoenix, AZ 85014
602.241.0782 phone
602.248.9158 fax

October 20, 2003
Mid-Rise Legal Description
EKA# 5146
Page 1 of 1



LEGAL DESCRIPTION
OF A
PARCEL OF LAND

That portion of the Northeast Quarter of Section 25, Township 1 South, Range 4 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona described as follows:

Commencing at the North Quarter corner of said Section 25;
Thence North $88^{\circ}59'01''$ East along the north line of the said Northeast Quarter of Section 25, a distance of 1883.80 feet to the POINT OF BEGINNING;

Thence continuing along said north line of the Northeast Quarter, North $88^{\circ}59'01''$ East, a distance of 412.59 feet;
Thence South $01^{\circ}00'59''$ East, a distance of 138.66 feet to the westerly ADOT right of way line described in Document No. 98-0651113, Maricopa County, Arizona;
Thence South $05^{\circ}57'09''$ West along said westerly right of way line, a distance of 561.40 feet;
Thence South $05^{\circ}56'47''$ West along said westerly right of way line a distance of 132.22 feet to the beginning of a tangent curve concave to the east having a radius of 4,623.66 feet;
Thence Southerly along said curve and said westerly right of way line through a central angle of $00^{\circ}16'22''$ an arc length of 22.02 feet to the north line of Pinnacle Terrance Apartments, Map of Dedication, as recorded in Book 456 of Maps, Page 29, Records of Maricopa County; Arizona;
Thence South $88^{\circ}59'01''$ West along said north line of Pinnacle Terrance Apartments, a distance of 529.01 feet;
Thence North, a distance of 392.31 feet;
Thence East, a distance of 187.05 feet;
Thence North, a distance of 460.37 feet, to the POINT OF BEGINNING.

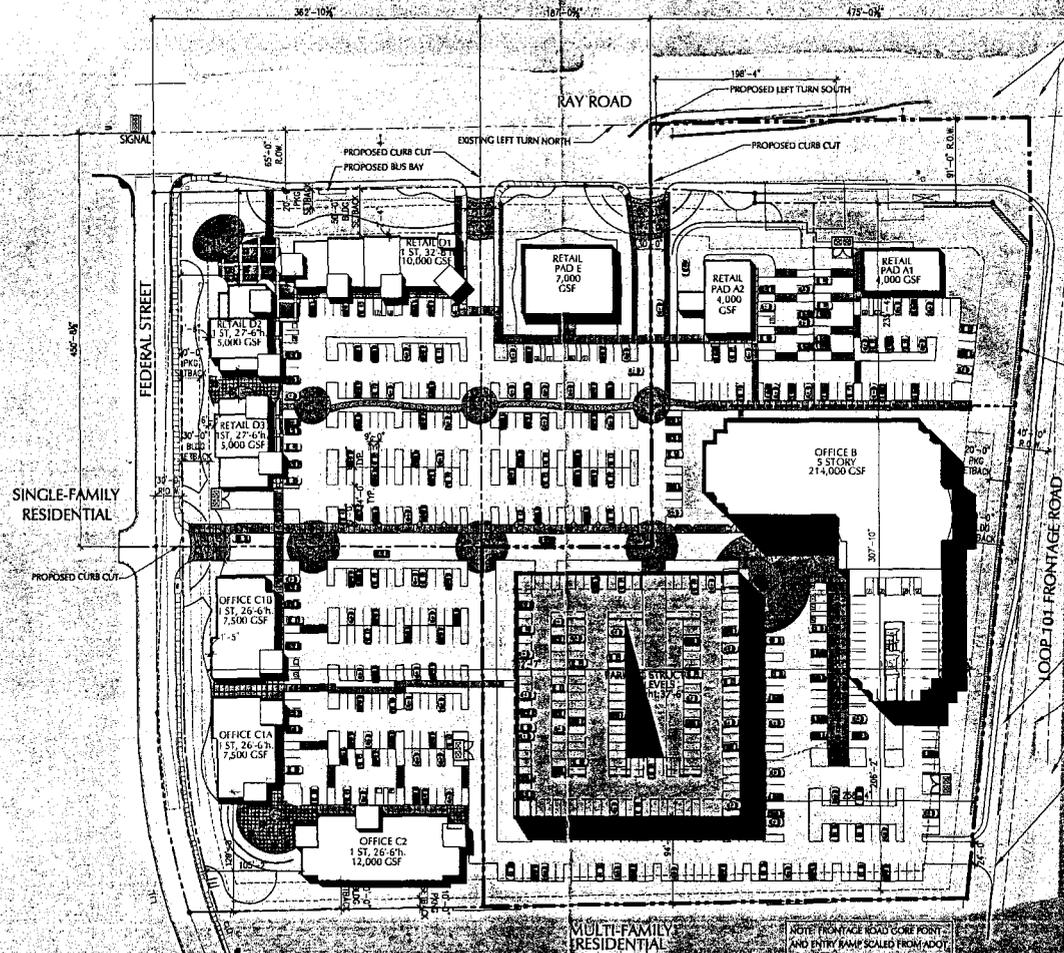
Containing 399,133 square feet or 9.1628 acres, more or less.

SUBMITTED SITE SUMMARY

SITE AREA: 16 ACRES (696,883 SF)
 BUILDING AREA: 276,000 CSF
 OFFICE: 241,000 CSF
 RETAIL: 20,000 CSF
 RETAIL PADS: 15,000 CSF
 PARKING REQUIRED: 1398 SPACES
 PARKING PROVIDED: 1433 SPACES

PARCEL NUMBERS:

301-64-009J
 301-64-009O
 301-64-009W
 301-64-009Y
 301-64-009Z



CENTER LINES AND CURB ALIGNMENT
 SCALED FROM ADOT AS-BUILTS

DEVELOPER
 PLACINNEY & ASSOCIATES, LTD.
 JACK A. CHAPMAN
 14223 NORTH 35th PLACE
 SCOTTSDALE, AZ 85254
 (602) 943-7831

ARCHITECT
 DFD-CORNOYER/HEIDAK
 ERIC CORNOYER
 REGISTRATION # 23517
 2435 EAST CAMELBACK RD., #400
 PHOENIX, AZ 85016
 (602) 941-2492

CIVIL ENGINEER
 EVANS KUHN & ASSOCIATES
 JOHN GAY
 REGISTRATION # 21264
 277 E. BETHANY HOME RD., #10211
 PHOENIX, AZ 85014
 (602) 241-0782

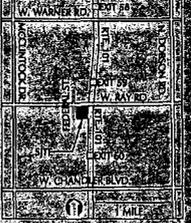
TRAFFIC ENGINEER
 PROGRAM MICHAEL
 TOVE CHRISTINA WHITE
 REGISTRATION # 12779
 8041 N. 35th AVENUE, STE #10
 PHOENIX, AZ 85021
 (602) 944-4541

LANDSCAPE ARCHITECT
 PHILIP E. RYAN LANGSCAP
 ARCHITECTS
 PHILIP RYAN
 REGISTRATION # 21111
 1445 S. ANNA ST., #104
 CHANDLER, AZ 85224
 (602) 999-2618

ADOT ACCESS EASMENT
 SCALED FROM ADOT DRAWING

STOP 101 ENTRY BAMP
 SCALED FROM ADOT AS-BUILTS

PROPOSED CURB CUT



NOTE: FRONTAGE ROAD CORE POSTS
 AND ENTRY BAMP SCALED FROM ADOT
 AS-BUILTS

DFD-CORNOYER/HEIDAK

- Architecture
- Interior Architecture
- Space Planning
- Facilities Management
- Food Planning
- Landmark Architecture
- Graphic Design

SAN TAN MIXED USE
 Chandler, Arizona

02372
 17 SEP 04

THE PARK AT SAN TAN
SWC LOOP 101 AND RAY ROAD
(DVR08-0033)

August 31, 2008

PROJECT OVERVIEW

The subject property is an existing office and retail development known as "The Park at San Tan" located at the southwest corner of Ray Road and the Loop 101 (Price Freeway). This application requests rezoning from PAD to PAD Amended on approximately 9.2 acres to permit college and educational facility uses within the existing 5-story office building. No building modifications or additions are requested as part of this amendment.

PROPOSED USE

This application requests approval to permit a college/educational facility to be located within the existing 5-story office building. It is anticipated that the college/educational facility will include undergraduate and graduate programs and will encompass approximately 25,000 square feet of the 220,000 square foot 5-story office building. The facility will include approximately 11 classrooms (10,000 +/- sq.ft.) as well as a student resource center (4,000 +/- sq.ft.) and offices for administration (6,000 +/- sq.ft.).

The general hours of operation of the administration offices will be 8 am - 6 pm Monday through Friday. The resource center will be open from 8 am to 10 pm Monday through Friday and 8 am - 4 pm Saturday and Sunday. On-site classes will be offered from 6 pm - 10 pm Monday through Friday and 8 am - 4 pm on Saturday.

The University of Phoenix is excited about locating a facility in Chandler and at such a prime location. The University of Phoenix is the largest private University in the United States with over 140,000 students in the Classroom programs and another 180,000 students in the Online programs. They have 190 locations in 40 states and occupy over 7 million sq.ft. of office space. This facility will be one of 5 locations in the Phoenix metro area.

ZONING HISTORY

The site has received various zoning approvals for commercial development since 1988. Most recently, the site was zoned in 2004 for the development of "The Park at San Tan" which includes a 5-story 214,000 sq.ft. office building, a 4-story parking garage, 35,000 sq.ft. of retail space and 27,000 sq.ft. of single story office space. The majority of the site has been developed, including the 5-story office building. Three retail pads fronting Ray Road are the only undeveloped portions remaining on the site.

GENERAL PLAN

The General Plan designates this property as a commercial node which permits the development of commercial retail uses, commercial services, office and institutional uses. The requested amendment is therefore fully consistent with the General Plan.

SURROUNDING PROPERTIES

The site is bordered to the north by the San Tan Corporate Center office development. To the west is the existing single family residential neighborhood, D'Arcy Ranch. Adjacent to the south is the Pinnacle Terrace apartment complex, and to the east is the Loop 101 (Price Freeway).

CONCLUSION

This application merely expands the existing uses of the 5-story office building to include college and educational facilities. These uses will not be detrimental to the surrounding properties or the area as a whole. Further, the expanded uses at this location will provide Chandler and other area residents the opportunity to expand their education in a facility close to home with flexible hours. This is a great opportunity for the College and for the City of Chandler. Education is an integral part of any City and Chandler should be thrilled with the opportunity provided at this specific location.

#17

OCT 28 2004

APPROVED BY
CHANDLER CITY COUNCIL

OCT 28 2004

CITY CLERK'S OFFICE

ORDINANCE NO. 3622

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) MIXED USE TO PLANNED AREA DEVELOPMENT (PAD) MIXED USE AMENDED (DVR04-0048 SANTAN MIXED USE AMENDED) 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 Mixed Use to PAD Mixed Use Amended, subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "San Tan Mixed Use Amended" kept on file in the City of Chandler Planning Services Division, in File No. DVR04-0048, except as modified by condition herein.

2. Right-of-way dedications to achieve full half width for Ray Road and Federal Street, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
3. 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.
4. The developer shall be required to install landscaping in the arterial street median 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.
5. 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.
6. Approval by the Director of Planning and Development of plans for landscaping (open spaces and rights-of-way) and perimeter walls.
7. 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.
8. All perimeter landscaping along Federal Street and Ray Road shall be installed as a part of Phase I.
9. Retail A1, Retail A2 and Retail E are shown at a conceptual level only. Future PDP approval for building architecture is required.
10. The proposed median break on Ray Road shall be deleted or as otherwise approved by the Director of Public Works and ADOT.
11. The office building will be limited to five (5) stories in height. The building will be approximately 75-feet in height, with no more than a 10% variance allowed. This height is measured from the finished grade to the top of the roof deck. The building will have approximately the same square-footage as was originally approved in the PAD application of November 2003.

12. The parking structure will be no more than four (4) levels, and no higher than 37.5-feet, measured from the finished grade to the top of the spandrel panel. The stair elements are excluded from this limitation.
13. The parking structure will have no car shade canopies on the fourth (4th) level. This restriction does not apply to the canopies over the stairwells.
14. The parking garage will follow the same architectural theme as was outlined in the PAD document, dated November 2003.
15. A northbound right-turn lane will be installed on Federal Street at Ray Road by the project developer as part of the first phase of the project. The design of this turn lane will be approved by the City.
16. The parking garage will have the same landscape buffer as was contained in the zoning approval of May 13, 2004; case number DVR03-0036.
17. The developer shall post the westbound exit onto Federal Street at Ross Drive as Left-Turn and Right-Turn only.

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 _____ day of _____, 2004.

ATTEST:

CITY CLERK

MAYOR

PASSED AND ADOPTED by the City Council this _____ day of _____,
2004.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 3622 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the _____ day of _____, 2004, and that a quorum was present thereat.

CITY CLERK

APPROVED AS TO FORM:

 D.G.
CITY ATTORNEY

PUBLISHED: