

Add info # 48

NOV 20 2008

EARL, CURLEY & LAGARDE, P.C.
ATTORNEYS AT LAW

Telephone (602) 265-0094
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3101 North Central Avenue
Suite 1000
Phoenix, Arizona 85012

November 17, 2008

Mayor Dunn & City Council Members
City of Chandler
55 N. Arizona Pl, #301
Chandler, AZ 85225

Re: APO8-0003/DVR08-0014

Dear Mayor & City Council Members:

I'm writing you to introduce you to the Park Place project that you will consider at your November 20th City Council meeting. I normally don't bother the Council members on a case except for unusual situations. It is because this case now requires $\frac{3}{4}$'s of the City Council to approve the case that I am writing you.

The background on this case is that staff is recommending approval, the Planning Commission unanimously recommended approval and the vast majority of existing single-family homeowners who live to the southeast of the property support the project. The hiccup in this case is that the property owner to our southwest (and who owns a 5-acre parcel who also has expressed a desire to rezone the property) has opposed the case, therefore, triggering a $\frac{3}{4}$ vote. I'm only writing you because we need to receive six out of seven City Council votes to prevail. I will keep this brief and to the point. We and staff believe that the case is meritorious for the following reasons:

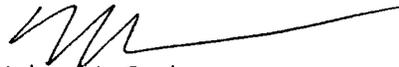
1. **Douglas Allred Company.** – The Allred Company has constructed over 5 million square-feet of commercial office and business space in California and Arizona. They are currently developing approximately 523,000 square-feet of Class A office space at the northeast corner of Price Road and Willis Road in Chandler. They additionally have a large presence in the Valley and have in their portfolio several hundred thousand square-feet of space at the Cotton Center in Phoenix and in the Foothills Tech Center in Phoenix, Arizona.
2. **The proposed project adds to the employment inventory within the Price Road Corridor.** – The subject development will provide approximately 100,000 square-feet of Class A business space to the employment inventory along Price Road. The site is uniquely situated for employment use because it has vehicular and physical connection to the existing Allred Park Place development on Price and Willis and also has exposure to the freeway. The inventory of available acreage in the Price Road Corridor is dwindling and this would certainly be a much better use of the property, in our view, than to allow to develop for single-family. Frankly, single-family development adjacent to the freeway, we believe, would be a significant underutilization of the property.
3. **The Parcel doesn't lend itself to Residential Development.** The parcel is a remnant ADOT parcel which has an irregular triangular shape which makes it difficult to develop as a residential subdivision. In addition, as staff points out, the site is

impacted by the nearby freeway interchange and on-ramps which make residential development of this parcel a challenge.

4. **The Office/Business park is a Transitional Use to Single-Family.** The proposed office/business park designation is considered an appropriate transitional use from freeways to residential developments.
5. **Sensitive Site Plan Design.** The building has been located so that there is a significant separation between the building and the nearby single-family properties (approximately 300-feet). Additionally, since the access for this site will be through the Allred project under construction on Price Road there will be no impact from a vehicular standpoint on the surrounding properties.
6. **Neighbors.** Most of the single-family property owners who live to the east of the property support the case. Two of our developer neighbors who live to the south of the property have expressed opposition to the project although we firmly believe their opposition is misplaced and that they mischaracterize the impact that the project will have on their properties. In fact, at the Planning Commission meeting the opponent who has triggered the $\frac{3}{4}$ vote (the 5-acre parcel immediately south of our property) initially was indicating support for the case which he withdrew when staff said on the record that they would not support a rezoning of his property to commercial.

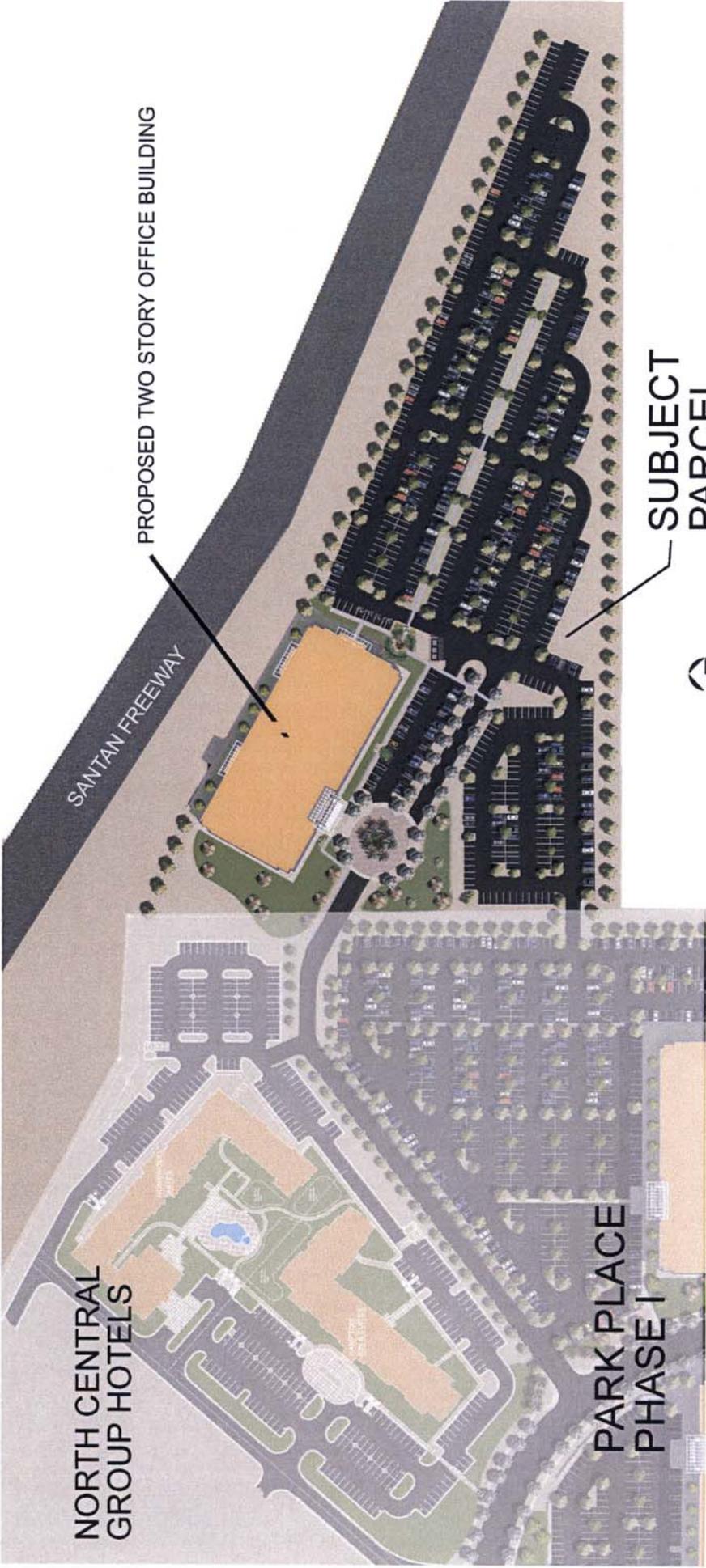
Thank you for your time and consideration. We firmly believe that the rezoning of this property will add to the quality employment opportunities that have emerged and will continue to emerge along the Price Road Corridor. If you have any questions or require any additional information, please do not hesitate to give me a call.

Sincerely,



Michael J. Curley

MJC/drm



SANTAN FREEWAY

PROPOSED TWO STORY OFFICE BUILDING

SUBJECT PARCEL

NORTH CENTRAL GROUP HOTELS

PARK PLACE PHASE I



Chandler Arizona





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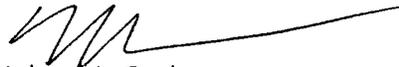
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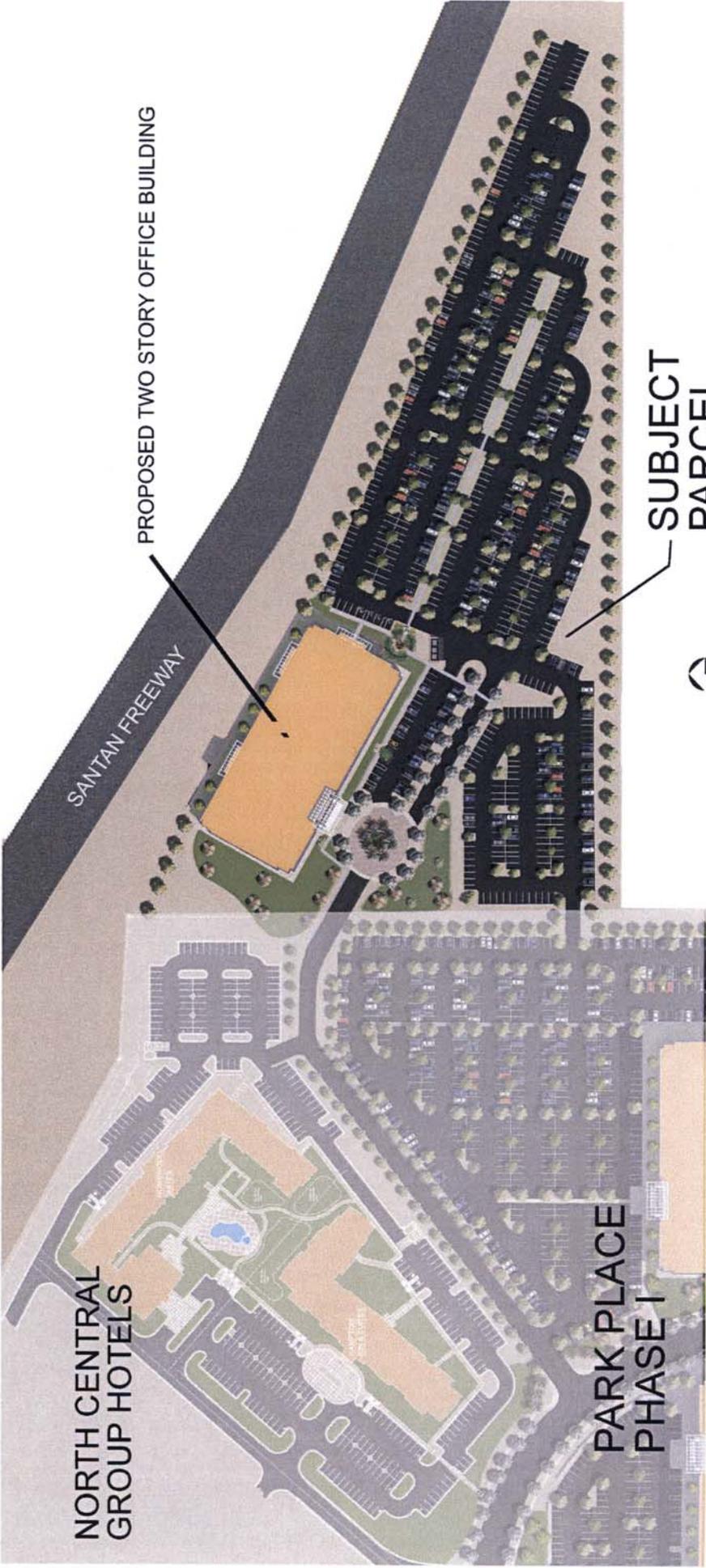
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Sincerely,



Michael J. Curley

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NORTH CENTRAL GROUP HOTELS

PROPOSED TWO STORY OFFICE BUILDING

SANTAN FREEWAY

SUBJECT PARCEL

PARK PLACE PHASE I



Chandler Arizona





48

NOV 20 2008



Chandler • Arizona
Where Values Make The Difference

MEMORANDUM

Planning and Development – CC Memo No. 08-210

DATE: NOVEMBER 7, 2008

TO: MAYOR AND CITY COUNCIL

THRU: *for* W. MARK PENTZ, CITY MANAGER *RD*
for JEFF KURTZ, ACTING PLANNING AND DEVELOPMENT DIRECTOR *DKM*

FROM: KEVIN MAYO, ACTING PLANNING MANAGER *KM*

SUBJECT: AP08-0003/DVR08-0014 PARK PLACE OFFICE TRIANGLE
Adoption of Resolution No. 4245
Introduction and Tentative Adoption of Ordinance No. 4115

Request: Amendment to the Dobson/Germann Area Plan, re-designating an approximate 10.6-acre site located east of the southeast corner of the Loop 202 Santan Freeway and Price Road, from Low-Density Residential (10,000 square-foot lot minimum) to Office/Business Park

Rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) with Preliminary Development Plan (PDP) approval for a flex-office development

Location: East of the southeast corner of the Loop 202 Santan Freeway and Price Road

Applicant: Ricardo Toris
Earl, Curley & Lagarde

Project Info: 10.6-acre site, 100,000 square-foot 2-story flex office building

RECOMMENDATION

There is a legal protest against this rezoning request.

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

AREA PLAN AMENDMENT

The Dobson/Germann Area Plan adopted in 1987 and amended in 1995 addresses the square-mile bound by Dobson Road on the east, Germann Road on the south, Price Road on the west, and the Loop 202 Santan Freeway on the north. The Area Plan identifies the subject 10.6-acre parcel as Low Density Residential, with a 10,000 square-foot minimum lot size. The subject site falls at the western limits of the Low Density Residential designation with the land west of the subject site identified for Industrial/Employment land uses. The Park Place (formerly known as Spectrum) master planned business park adjacent to the subject site's west side is currently under construction and includes office, retail, employment and hotel land uses. The recently approved Hilton hotels are located immediately west of the subject 10.6-acre site.

The proposed Area Plan Amendment seeks to re-designate the subject 10.6-acre parcel from Low Density Residential to Office/Business Park. The Office/Business Park designation allows for business park development consisting of corporate and professional office uses, as well as flex-office uses and back-office uses. These types of land uses are generally considered to be appropriate 'transitional' uses to locate adjacent to residential developments due to the minimal impacts such as noise and light pollution generated.

Staff supports the proposed Area Plan Amendment finding the Office/Business Park designation compatible with the surrounding Low Density Residential uses as well as the existing Park Place business park to the west. The subject site is a remaining leftover parcel, previously owned by the Arizona Department of Transportation (ADOT), created by the construction of the Loop 202 Santan Freeway. The parcel is of an irregular triangular shape that presents challenges when trying to develop as a residential subdivision. In addition, the site is impacted by the nearby freeway interchange and on ramps. The proposed amendment and subsequent development proposal makes good use of a challenging parcel, while maintaining compatibility with the adjacent residential properties.

BACKGROUND

The request is for rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) with Preliminary Development Plan (PDP) approval for a single two-story 100,000 square-foot flex-office building on the 10.6-acre site. The Loop 202 Santan Freeway borders the subject site to the northeast. To the west is the Park Place master planned business park, with the Hampton Inn & Suites and Homewood Suites Hilton hotels immediately adjacent to the west. The subject site is bordered to the south by vacant and developed large-lot residential properties zoned AG-1.

The proposal includes the two-story 100,000 square-foot flex office building located at the subject site's northwest corner, providing maximum separation from the adjacent residential properties. In fact, the proposed office building is located further from the residential property lines than the approved flex office buildings as part of the Park Place II development. Vehicular access will be provided through two shared access points along the site's west side, through the Park Place development. These access points allow the proposed Park Place Office Triangle development vehicular and pedestrian access to the internal loop road, Spectrum Boulevard,

connecting Price and Willis Roads. The vehicular circulation has been designed to direct traffic away from the residential properties further reducing any potential impacts.

The site provides sufficient at-grade parking to accommodate a 100-percent office build-out. In the event a user required additional parking greater than code, the site has been designed to accommodate a two-level parking deck to be located adjacent to the ADOT right of way. The attached Development booklet includes exhibits of the potential parking deck's location and design, as well as the potential covered parking canopies if a specific user desires. The proposed parking canopies include an open 'grid' architectural element similar to elements found on the building.

The site provides generous landscaping. The main entry drive features a highlighted landscaped round a bout that includes decorative paving and 25-foot tall date palm trees. The proposal provides an extensive landscaped buffer along the south property line abutting the residential properties. This landscaped buffer varies in size however at a minimum, is approximately 50-foot wide, and includes multiple layers of tree plantings further buffering the development. Pedestrian amenities include outdoor shaded patios, seating cubes, and a 'plasma-cut metal panels' art feature surrounded by a curved concrete bench and shade trees. Finally, a tree-lined shaded pedestrian pathway provides safe access from the parking lot to the building.

The proposed building architecture closely resembles the architecture of the previously approved Park Place II buildings, however includes additional architectural detailing due to the freeway visibility. The proposed Park Place Office Triangle office building is designed as concrete-tilt panel construction. The extensive use of glass glazing at the building's lower portion provides the building a human scale. Entryways are highlighted with additional glazing, decorative horizontal and vertical plane projections and recesses, as well as the architectural shade trellis feature. Various corners of the building are accented by recessed full-height glazing to highlight the plane change. The building's architectural style is a simple yet refined design that evokes a high-quality image, consistent with recently constructed office buildings in Chandler.

A comprehensive sign package was included and approved as part of the Park Place (Spectrum) Master Preliminary Development Plan that included details for the entire development's freestanding monument signage. Although the subject site is outside the boundaries defined by the Park Place Master PDP, any freestanding multi-tenant monument signage for the proposal will be located on Spectrum Boulevard within the Park Place development and therefore will conform to the approved signage. It was the intention of the master developer to allow each lot to generate its own criteria for building mounted signage. This request includes such criteria. Building mounted signage is proposed as either individual mounted internally illuminated pan-channel letter, or individual mounted reverse pan-channel lettering with the option of halo-illumination. The Development Booklet includes exhibits and representations regarding the building mounted signage. For reference, the proposed signage criteria is consistent with the approved criteria for the balance of the Park Place business park.

DISCUSSION

Staff supports the proposed Area Plan Amendment finding the Office/Business Park land use designation a logical and appropriate transitional land use due to the adjacent residential properties. Comments were received during the neighborhood meetings in regards to the potential of setting a precedent that would encourage the remaining rural-residential landowners to also seek an amendment to further increase the business park designation. While Staff can appreciate that concern, the remaining residential properties are of a more traditional rectangular shape and of adequate size to develop in the future as a residential subdivision. In fact, the development of the Vintage Villas subdivision to the south provided an extension of the residential street El Dorado Drive to these properties for future vehicular access.

Staff supports the proposed rezoning and PDP finding it to represent a high quality extension of the Park Place business park that is a good development solution for a challenging parcel adjacent to the Loop 202 Santan Freeway. The site has been designed to minimize any impacts upon the adjacent residential properties through the buildings location and orientation. A final request gathered through the neighborhood meetings included the desire to raise the perimeter block fence along the south property line from 6-feet to 8-feet. The applicant has agreed to this request.

The applicant has represented to the Staff the intention to file for building permits shortly follow City Council approval.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- This request was noticed according to the provisions of the City of Chandler Zoning Code.
- Two neighborhood meetings were held at the Chandler Community Center. The first meeting was held on July 22, 2008 with approximately 8 neighboring property owners in attendance. The second meeting was held on September 4, 2008 with approximately 3 property owners attending. Many questions were asked with regards to project specifics. In the end, there remains a small number of neighboring property owners in opposition to this request simply concerned that this approval would set a precedence to continue the business park expansion.

Staff has received correspondence from the developer of the nearby Vintage Villas residential subdivision in opposition to this request. The developer is opposed to further encroachment of the business park into the residential area. A copy of the letter is attached to this memo.

At the time of this writing, Staff has received one phone call from a resident opposed to this request.

Staff has received a letter of opposition from a neighboring property owner adjacent to the subject site's south side. The neighboring property accounts for approximately 50% of the area bordering the subject site's southern side and does represent sufficient area to trigger a legal protest. A copy of the letter is attached to this memo.

PLANNING COMMISSION VOTE REPORT

Motion to approve:

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

Planning Commission added condition 15 to further enhance the interface of the potential parking deck and landscaping to provide a greater sense of place for the deck.

RECOMMENDED ACTION

Upon finding consistency with the General Plan, Planning Commission and Staff recommend approval of the Area Plan amendment, Rezoning and Preliminary Development Plan for the office development, subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklets, entitled "PARK PLACE OFFICE TRIANGLE" kept on file in the City of Chandler Planning Services Division, in File Nos. AP08-0003 and DVR08-0014, except as modified by condition herein.
2. Right-of-way dedications to achieve full half widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
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. 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. 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. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual # 4).
7. Approval by the Director of Planning and Development of plans for landscaping (open spaces and rights-of-way) and perimeter walls.

8. 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.
9. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or a homeowners' association.
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 Park Place Office Triangle 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. All raceway signage shall be prohibited within the development.
13. The landscaping shall comply with the Commercial Design Standards.
14. The perimeter block wall shall be constructed at an 8-foot height.

15. The potential parking deck landscape interface shall include some combination of additional parking screen walls, trees and shrubs.

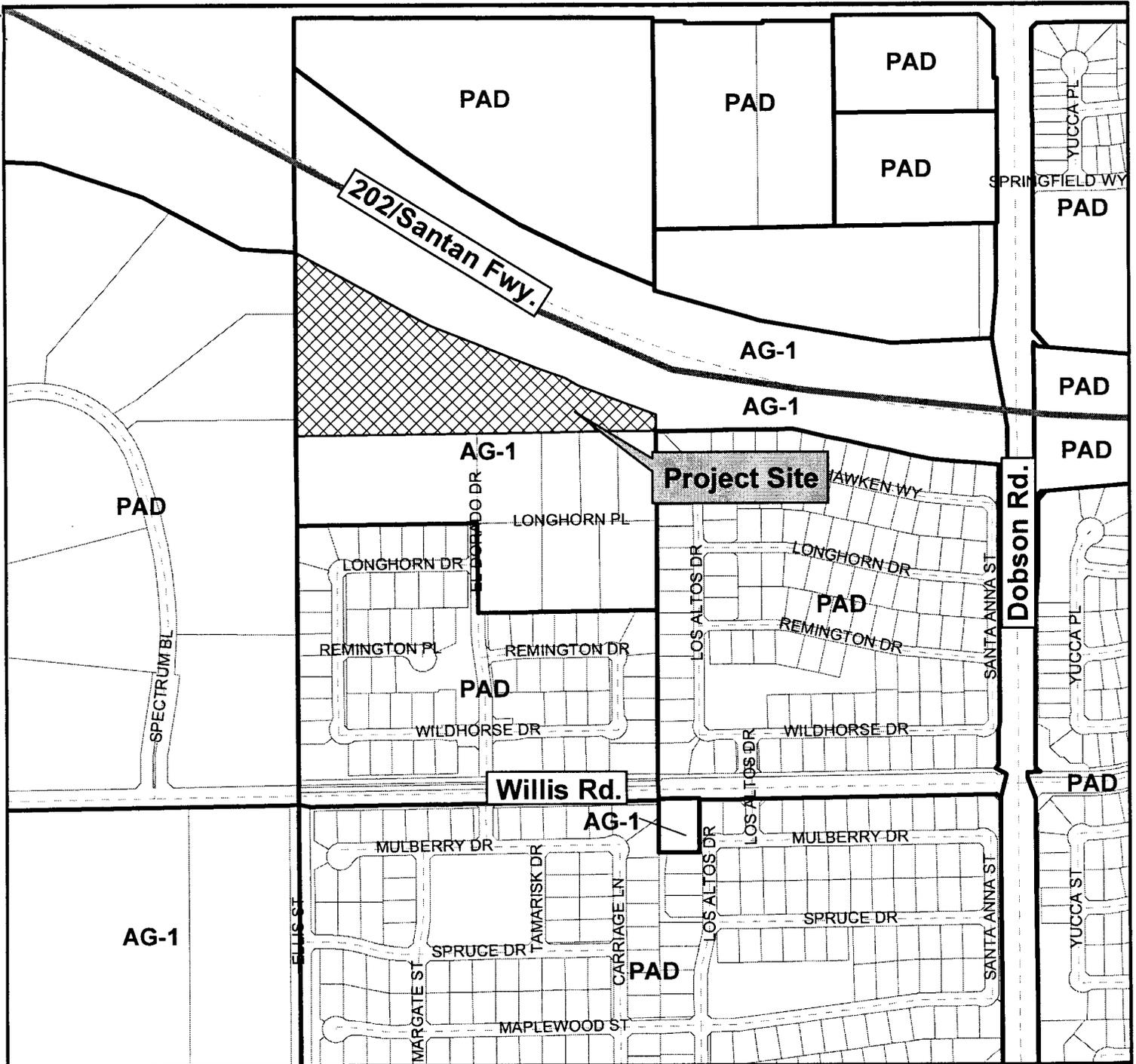
PROPOSED MOTION

Move to adopt Resolution No. 4245 requesting Area Plan Amendment to the Dobson/Germann Area Plan, re-designating an approximate 10.6-acre parcel located east of the southeast corner of the Loop 202 Santan Freeway and Price Road, from Low Density Residential to Office/Business Park.

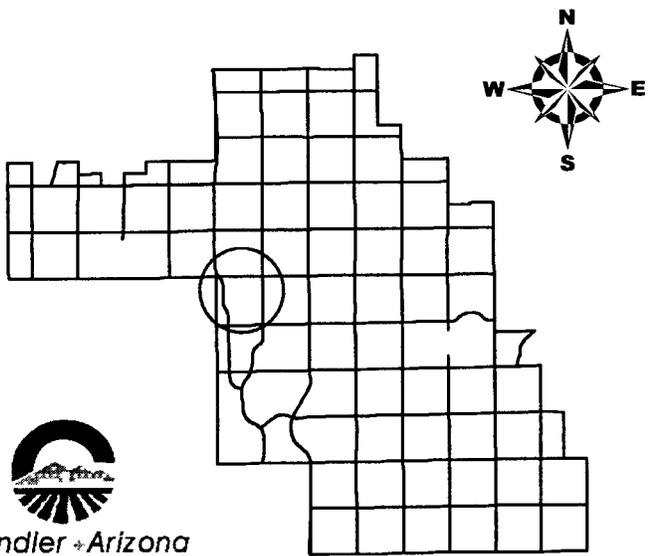
Move to introduce and tentatively adopt Ordinance No. 4115 approving DVR08-0014 PARK PLACE OFFICE TRIANGLE, subject to the conditions as recommended by Planning Commission and Staff.

Attachments

1. Vicinity Map
2. Resolution No. 4245
3. Ordinance No. 4115
4. Exhibit A, Development Booklets
5. Area Plan Exhibit
6. Site Plans
7. Landscape Plans
8. Building Perspectives
9. Letters of Opposition



Vicinity Map

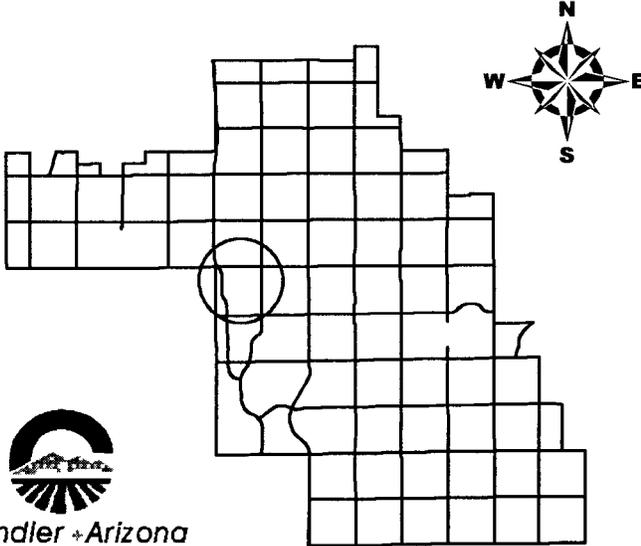


DVR08-0014

Park Place Office Triangle



Vicinity Map



DVR08-0014

Park Place Office Triangle



RESOLUTION NO. 4245

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, ADOPTING AN AMENDMENT TO THE "DOBSON/GERMANN AREA PLAN" AS A LAND USE GUIDELINE FOR FUTURE REZONING AND LAND DEVELOPMENT WITHIN THE AREA BOUNDED BY DOBSON ROAD, GERMANN ROAD, PRICE ROAD AND THE LOOP 202 SANTAN FREEWAY.

WHEREAS, an interest has been expressed in seeking approval of a rezoning request, pending approval of an Area Plan amendment, for a particular development proposal of property located east of the southeast corner of the Loop 202 Santan Freeway and Price Road; and

WHEREAS, an existing Area Plan, the "Dobson/Germann Area Plan" has been adopted for this property on January 11, 1996 by Resolution 2450; and

WHEREAS, The applicant prepared this amendment to the existing "Dobson/Germann Area Plan" ; and

WHEREAS, Such an amendment, covering a portion of the adopted Area Plan including a map and narrative has been prepared by the applicant for consideration by the City Council after having received public input from the Planning and Zoning Commission and property owners at a previous public hearing;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chandler, Arizona, as follows:

SECTION I. That the attached map and narrative Exhibits, an Amendment to the Dobson/Germann Area Plan that now designates the property for Office/Business Park as presented to the Planning and Zoning Commission and approved at their public hearing held on October 15, 2008, is hereby adopted as the guideline for future rezoning and development for the area described within it.

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona, this _____ day of _____, 2008.

ATTEST:

CITY CLERK

MAYOR

RESOLUTION NO. 4245

Page 2

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Resolution No. 4245 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting was held on the _____ day of _____, 2008, and that a quorum was present thereat.

APPROVED AS TO FORM:

CITY CLERK

CITY ATTORNEY

SAB

MAYOR

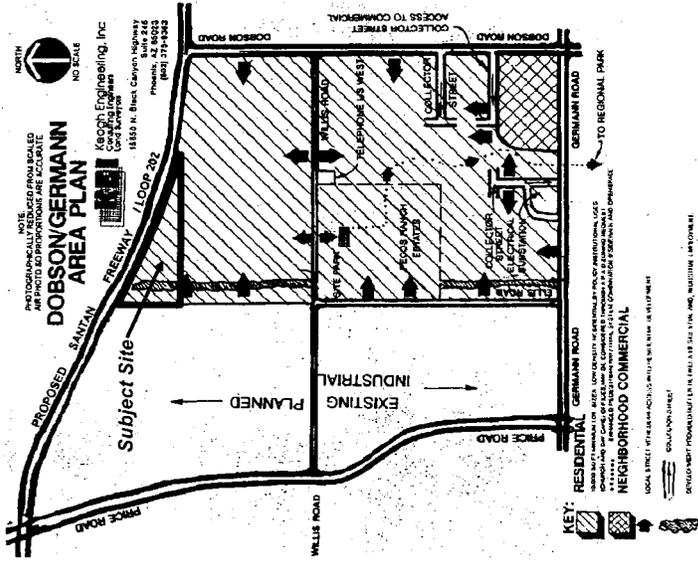
Narrative Exhibit

AREA PLAN AMENDMENT

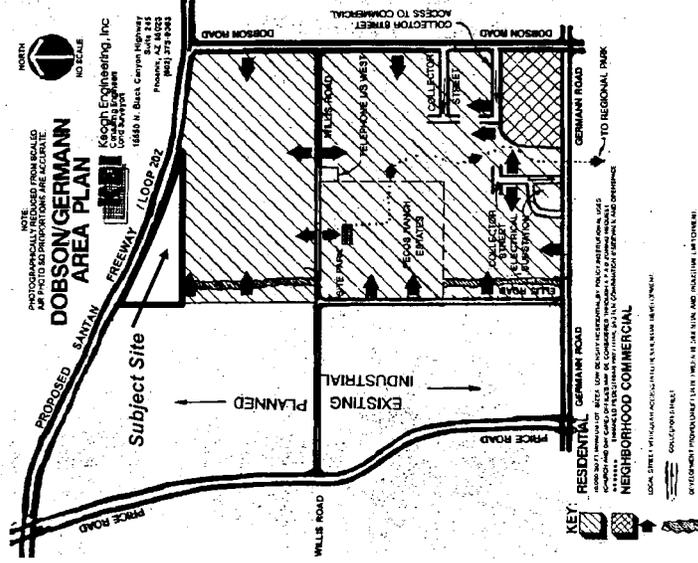
The existing Dobson/Germann Area Plan that addresses this 10.6-acre parcel designates the subject site as Low Density Residential. The application requests amendment to the Dobson/Germann Area Plan to re-designate the approximate 10.6-acre parcel for Office/Business Park. A map outlining the proposed amendment is located in the attached Development Booklet

The proposed Office/Business Park designation allows for business park development consisting of corporate and professional office uses, as well as flex-office uses and back-office uses. These types of land uses are generally considered to be appropriate 'transitional' uses to locate adjacent to residential developments due to the minimal impacts such as noise and light pollution generated. Staff supports the proposed Area Plan Amendment finding the Office/Business Park designation compatible with the surrounding Low Density Residential uses as well as the existing Park Place business park to the west. The subject site is a remaining leftover parcel, previously owned by the Arizona Department of Transportation (ADOT), created by the construction of the Loop 202 Santan Freeway. The parcel is of an irregular triangular shape that presents challenges when trying to develop as a residential subdivision. In addition, the site is impacted by the nearby freeway interchange and on ramps. The proposed amendment and subsequent development proposal makes good use of a challenging parcel, while maintaining compatibility with the adjacent residential properties.

The property is currently zoned Agricultural District (AG-1). The subject site is located east of the southeast corner of the Loop 202 Santan Freeway and Price Road.



Existing
Dobson/Germann Area Plan
Existing Land Use: "Residential"



Proposed
Dobson/Germann Area Plan
Land Use: "Office/Business Park"

ORDINANCE NO. 4115

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) OFFICE/BUSINESS PARK (DVR08-0014 PARK PLACE OFFICE TRIANGLE) 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) with Preliminary Development Plan (PDP) approval for a flex-office development, subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklets, entitled "PARK PLACE OFFICE TRIANGLE" kept on file in the City of Chandler Planning Services Division, in File Nos. AP08-0003 and DVR08-0014, except as modified by condition herein.

2. Right-of-way dedications to achieve full half widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
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. 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. 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. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual # 4).
7. Approval by the Director of Planning and Development of plans for landscaping (open spaces and rights-of-way) and perimeter walls.
8. 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.
9. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or a homeowners' association.
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 Park Place Office Triangle 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. All raceway signage shall be prohibited within the development.
13. The landscaping shall comply with the Commercial Design Standards.
14. The perimeter block wall shall be constructed at an 8-foot height.
15. The potential parking deck landscape interface shall include some combination of additional parking screen walls, trees and shrubs.

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.

ORDINANCE NO. 4115

Attachment 'A'

LEGAL DESCRIPTION

THAT PORTION OF LOT 2, SECTION 6, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, LYING SOUTH OF THE SOUTHERLY LINE OF THAT TRACT DESCRIBED IN FINAL ORDER OF CONDEMNATION RECORDED SEPTEMBER 17, 2002 IN INSTRUMENT NO. 2002-0953415, OFFICIAL RECORDS AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 6, ALSO BEING THE NORTHWEST CORNER OF SAID LOT 2, FROM WHENCE THE NORTHEAST CORNER OF SAID SECTION 6 BEARS SOUTH 89 DEGREES 59 MINUTES 21 SECONDS EAST A DISTANCE OF 2644.22 FEET;

THENCE SOUTH 00 DEGREES 13 MINUTES 05 SECONDS EAST, MEASURED (BASIS OF BEARINGS) SOUTH 00 DEGREES 11 MINUTES 05 SECONDS EAST, RECORD) ALONG THE WEST LINE OF SAID LOT 2, A DISTANCE OF 909.75 FEET TO A FOUND A.D.O.T. ALUMINIUM CAP ON THE SOUTHERLY LINE OF SAID TRACT DESCRIBED IN INSTRUMENT NO. 2002-0953415 AND THE POINT OF BEGINNING;

THENCE ALONG SAID SOUTHERLY LINE FOR THE NEXT FOUR (4) COURSES, WOUTH 61 DEGREES 10 MINUTES 01 SECONDS EAST, MEASURED (SOUTH 61 DEGREES 08 MINUTES 40 SECONDS EAST, RECORD) A DISTANCE OF 566.18 FEET, MEASURED (566.13 FEET, RECORD) TO A FOUND A.D.O.T. ALUMINUM CAP;

THENCE 68 DEGREES 09 MINUTES 29 SECONDS EAST, MEASURED (SOUTH 68 DEGREES 07 MINUTES 38 SECONDS EAST, RECORD) A DISTANCE OF 423.49 FEET MEASURED (423.34 FEET, RECORD) TO A FOUND A.D.O.T ALUMINUM CAP;

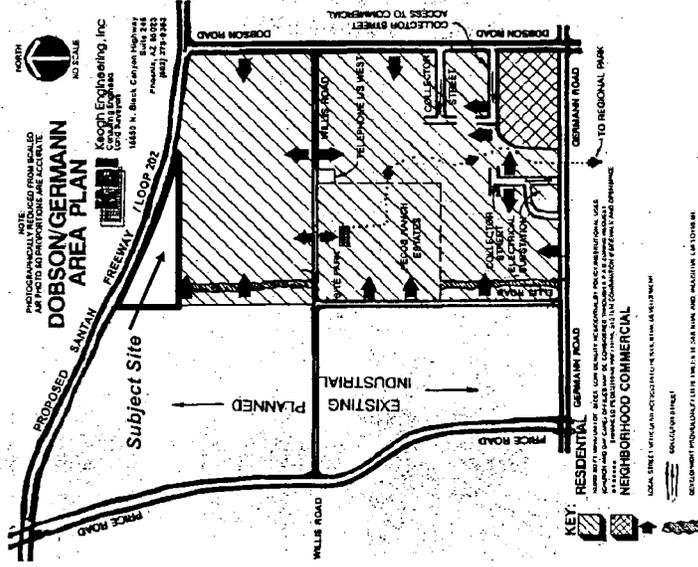
THENCE SOUTH 71 DEGREES 08 MINUTES 37 SECONDS EAST, MEASURED (SOUTH 71 DEGREES 06 MINUTES 59 SECONDS EAST, RECORD) A DISTANCE OF 419.90 FEET, MEASURED (419.98 FEET, RECORD) TO A FOUND A.D.O.T. ALUMINUM CAP;

THENCE SOUTH 75 DEGREES 02 MINUTES 04 SECONDS EAST, MEASURED (SOUTH 74 DEGREES 59 MINUTES 53 SECONDS EAST, RECORD) A DISTANCE OF 39.12 FEET, MEASURED (39.10 FEET, RECORD) TO THE EAST LINE OF SAID LOT 2;

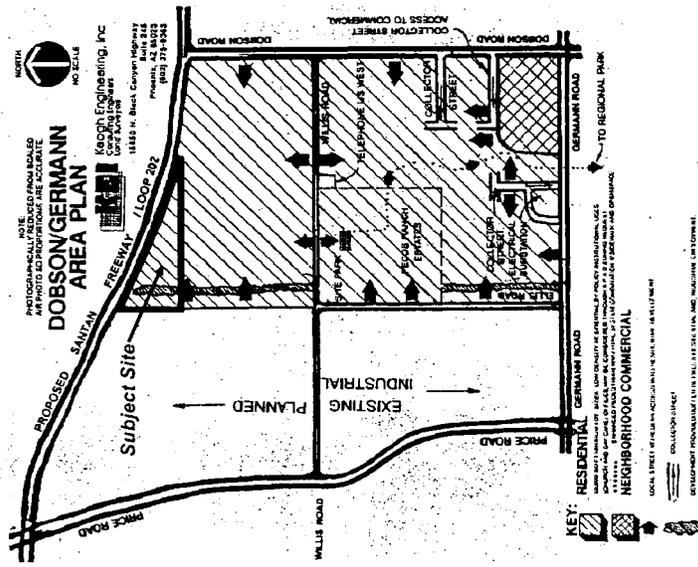
THENCE SOUTH 00 DEGREES 13 MINUTES 05 SECONDS EAST ALONG SAID EAST LINE A DISTANCE OF 85.87 FEET TO THE SOUTHEAST CORNER OF SAID LOT 2;

THENCE SOUTH 89 DEGREES 16 MINUTES 08 SECONDS WEST ALONG THE SOUTH LINE THEREOF A DISTANCE OF 1322.08 FEET TO A FOUND ½" REBAR WITH CAP "LS17548" AT THE SOUTHWEST CORNER OF SAID LOT 2;

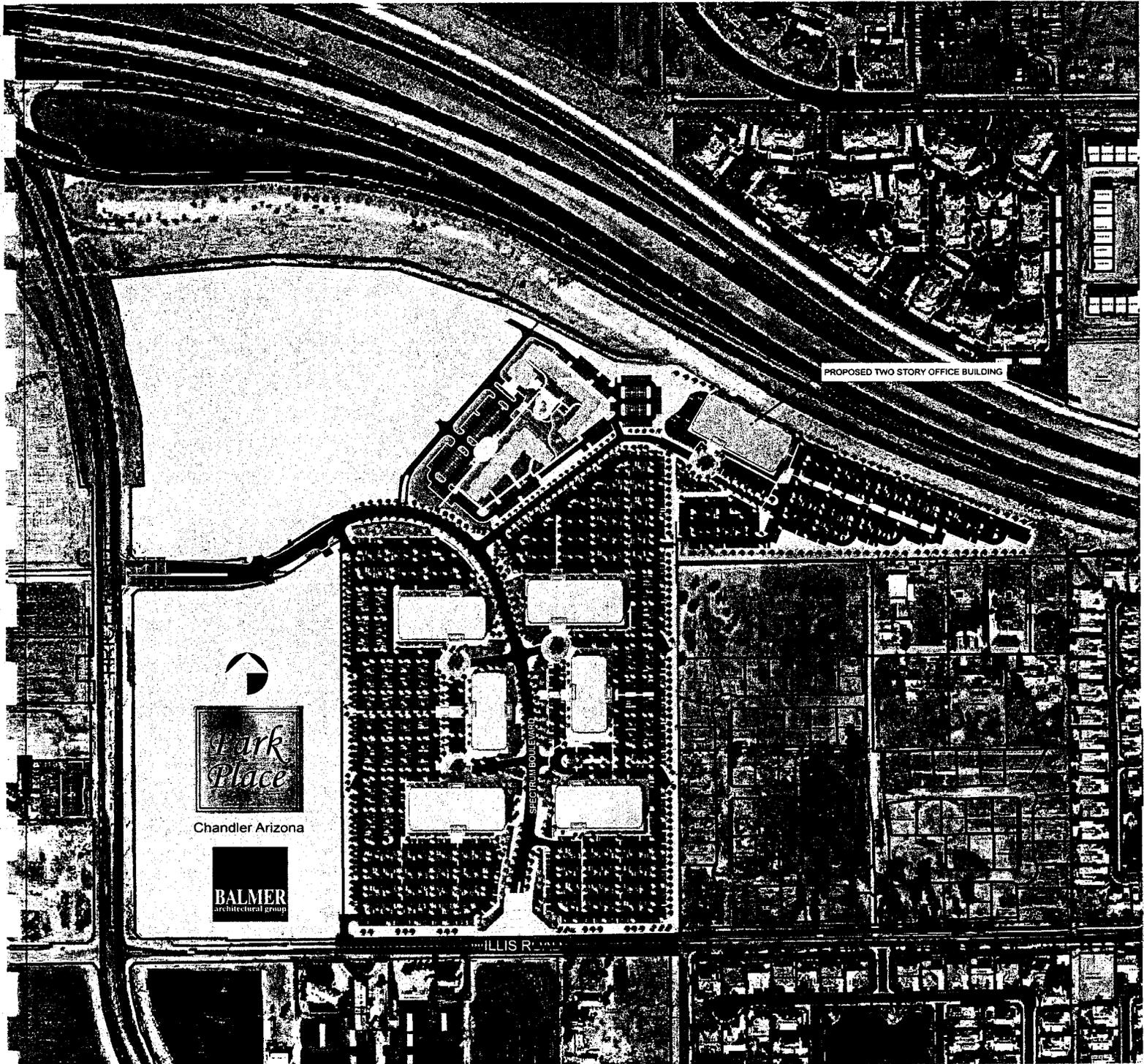
THENCE NORTH 00 DEGREES 13 MINUTES 05 SECONDS WEST ALONG THE WEST LINE THEREOF A DISTANCE OF 679.16 FEET TO THE POINT OF BEGINNING.



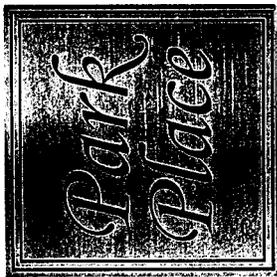
Proposed
Dobson/Germann Area Plan
Land Use: "Office/Business Park"



Existing
Dobson/Germann Area Plan
Existing Land Use: "Residential"



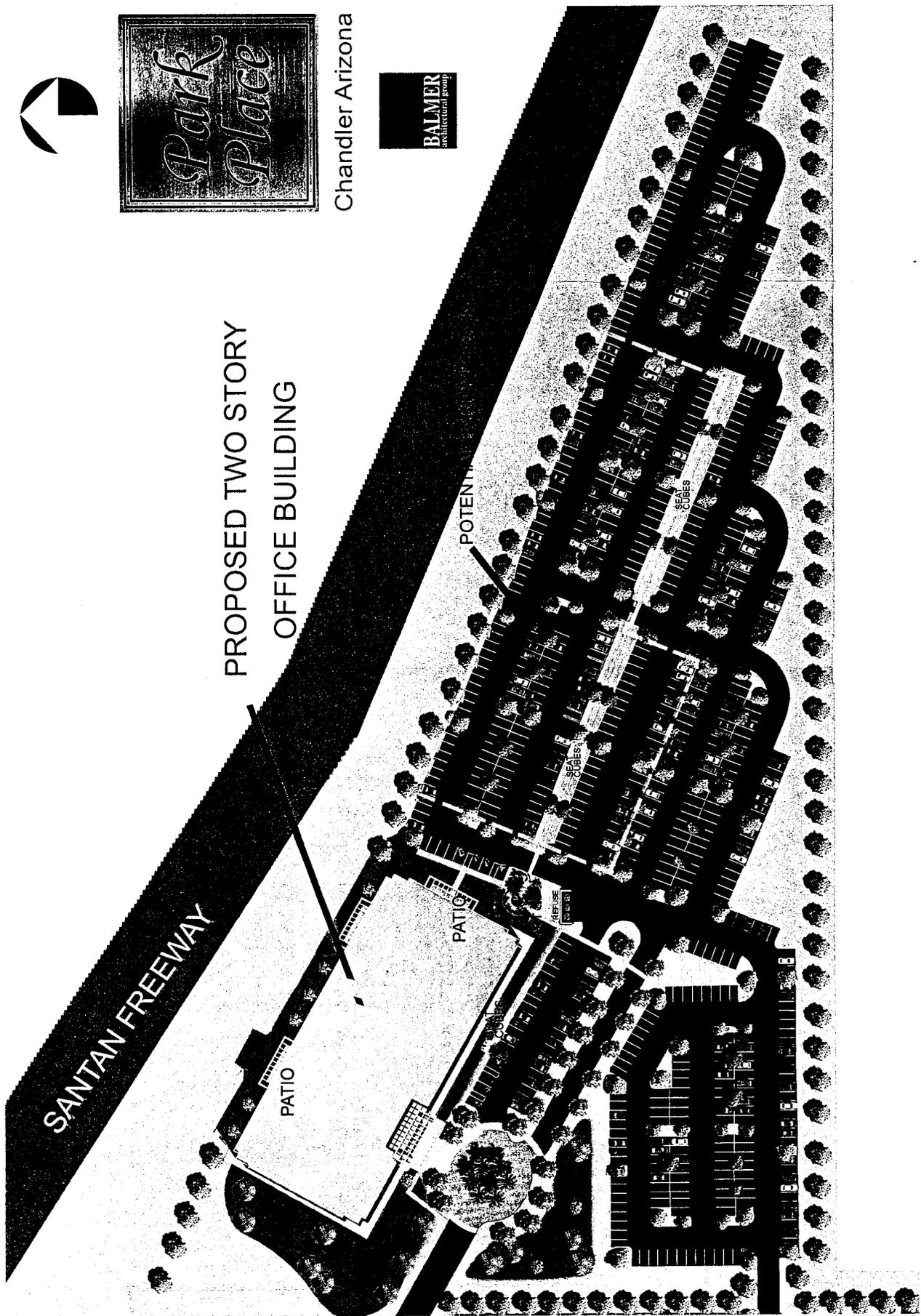
AERIAL MAP



Chandler Arizona



PROPOSED TWO STORY
OFFICE BUILDING



SIDEWALK TO PHASE ONE

PLANT SCHEDULE

SYMBOL	BOTANICAL/COMMON NAME	SIZE/CURB/HIL	SYMBOL	BOTANICAL/COMMON NAME	SIZE/CURB/HIL
1	WYOMI WILLOW SHRUBBER	2 1/2" HEIGHT	1	AGAVE DESERTICA VAR. VAR. VAR.	5 GAL
2	COMMON BURNING BUSH	2 1/2" HEIGHT	2	AGAVE ZENITHALIS	5 GAL
3	SPRING BURNING BUSH	2 1/2" HEIGHT	3	AGAVE ZENITHALIS	5 GAL
4	SPRING BURNING BUSH	2 1/2" HEIGHT	4	AGAVE ZENITHALIS	5 GAL
5	SPRING BURNING BUSH	2 1/2" HEIGHT	5	AGAVE ZENITHALIS	5 GAL
6	SPRING BURNING BUSH	2 1/2" HEIGHT	6	AGAVE ZENITHALIS	5 GAL
7	SPRING BURNING BUSH	2 1/2" HEIGHT	7	AGAVE ZENITHALIS	5 GAL
8	SPRING BURNING BUSH	2 1/2" HEIGHT	8	AGAVE ZENITHALIS	5 GAL
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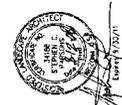
GILMORE PARSONS
LAND DESIGN GROUP



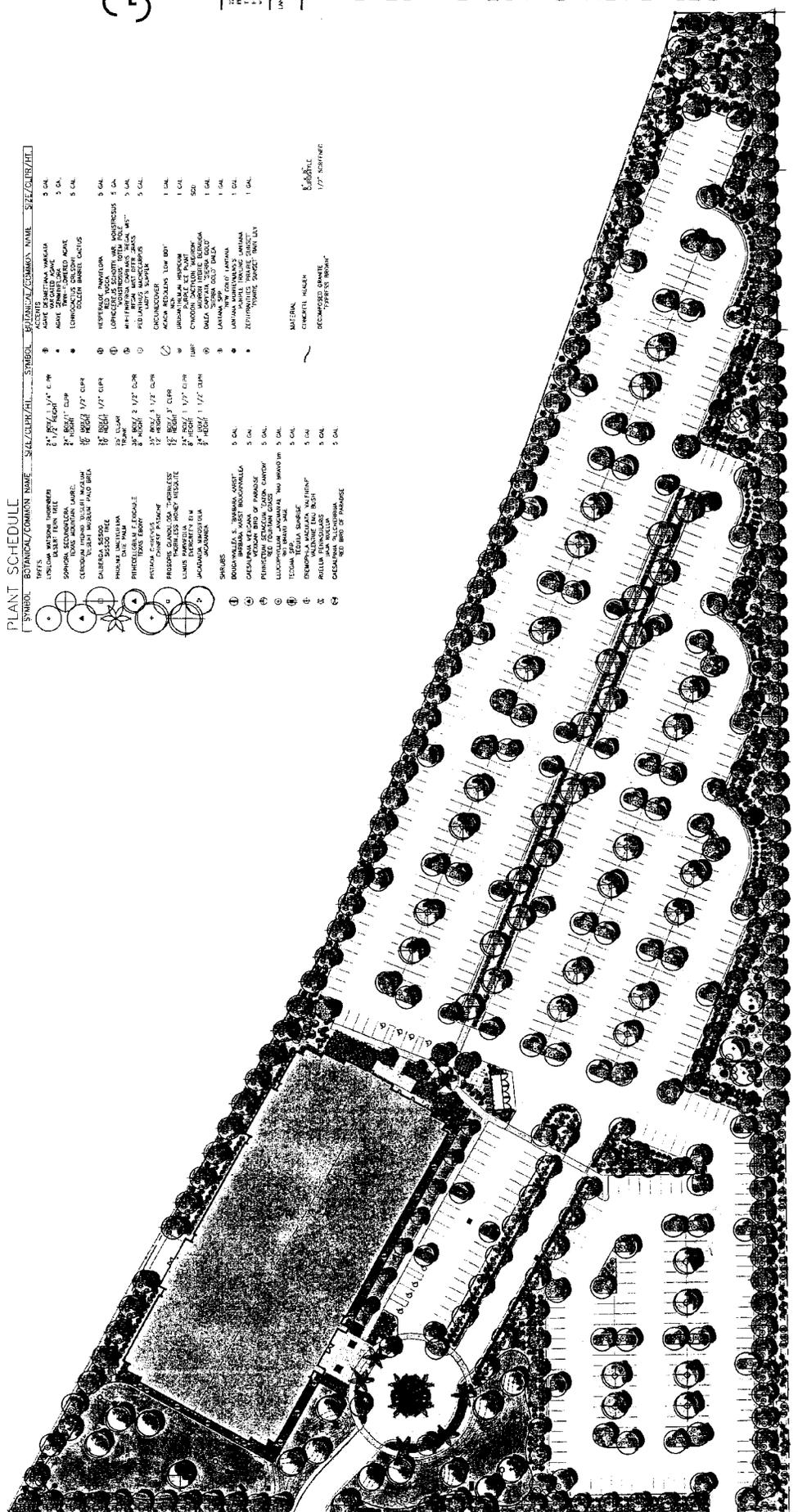
2025 N. 10th
Phoenix, AZ 85016
P: 602.242.7000
www.gilmoreparsons.com

ALLRED PARK PLACE PHASE 3
CHANDLER, AZ
MASTER SITE PLAN

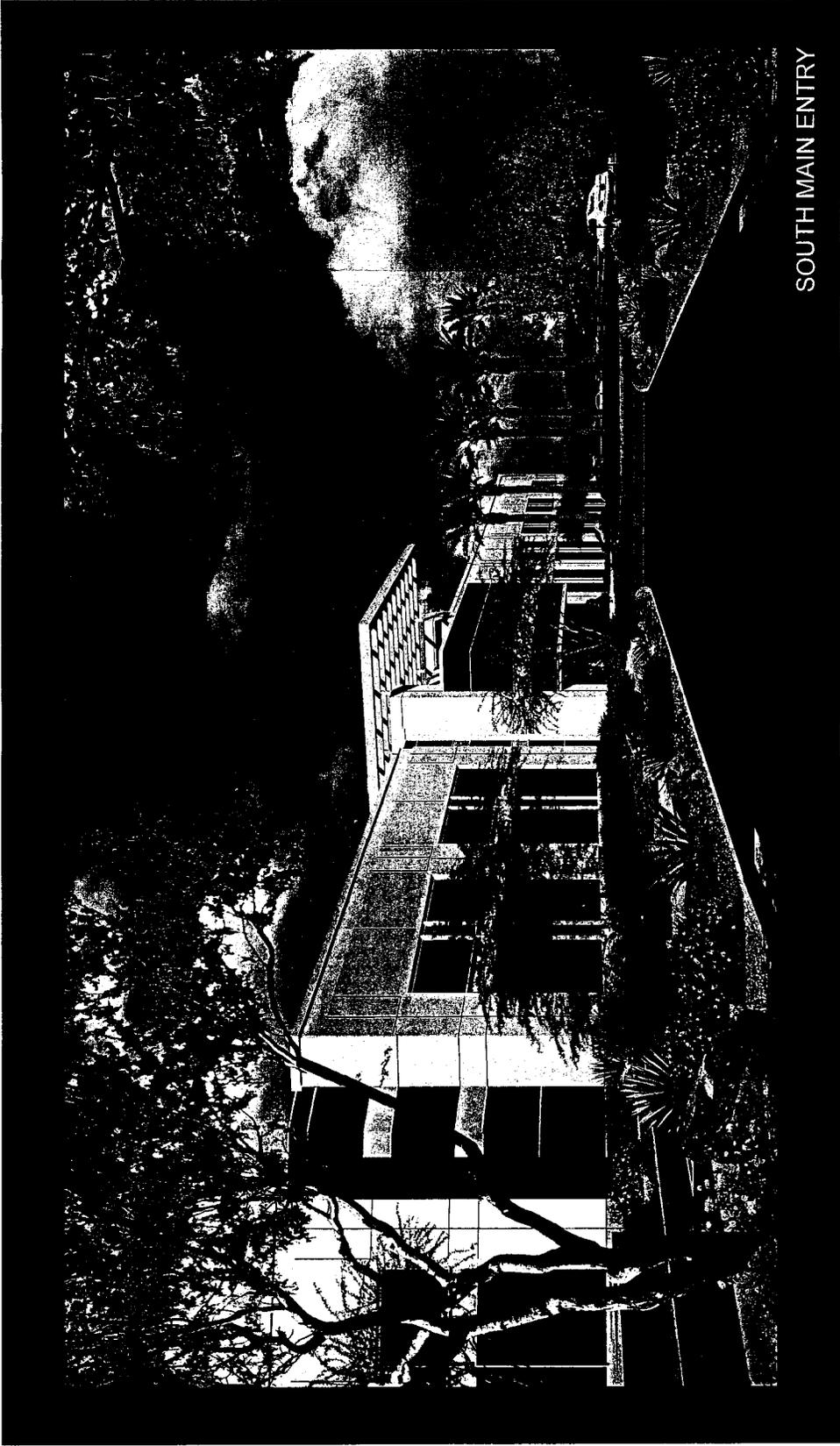
LS-01
08/27
12/20/08



PRELIMINARY
LANDSCAPE PLAN
SCALE: 1" = 40'-0"

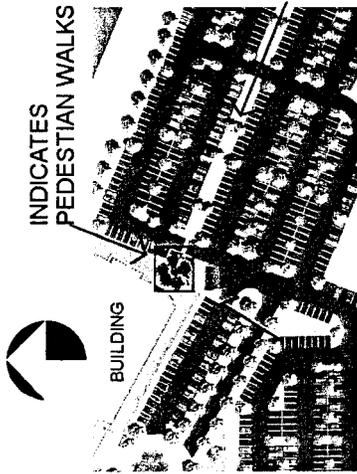


BY THESE PLANS, I, THE ARCHITECT, CERTIFY THAT I AM A LICENSED ARCHITECT IN THE STATE OF ARIZONA AND THAT I AM THE DESIGNER OF THESE PLANS. I AM NOT PROVIDING ANY GUARANTEE OR WARRANTY, EXPRESS OR IMPLIED, FOR THE ACCURACY OR COMPLETION OF THESE PLANS. I AM NOT PROVIDING ANY GUARANTEE OR WARRANTY, EXPRESS OR IMPLIED, FOR THE ACCURACY OR COMPLETION OF THESE PLANS.

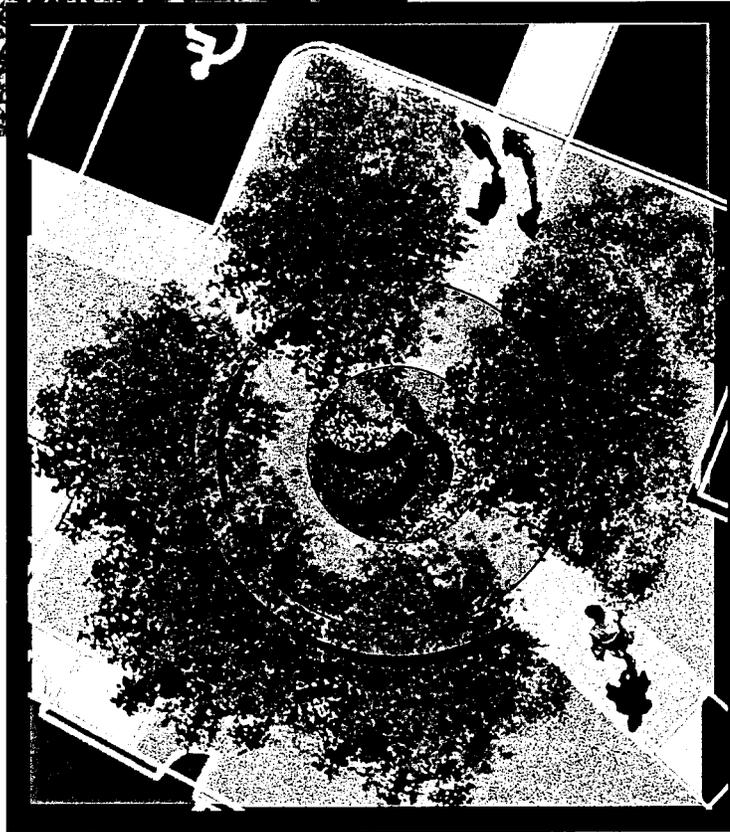


SOUTH MAIN ENTRY

Chandler Arizona



LOCATION PLAN



ART FOCAL PLAN



ELEVATION

- PLASMA CUT STAINLESS METAL PANELS
- BERM WITH VARIED COLOR GROUND COVERS
- CONCRETE BENCH

PROPOSED ART / FOCAL POINT



Kayvan Sanaiha
<kayvanphx@hotmail.com>
10/13/2008 03:59 PM

To <leigh_rivers@otmail.com>, <irby@msn.com>, <mcason@ent-int.net>, <sbveitch@bryancave.com>, <kristiankelley@yahoo.com>, <mflanders@kdra.com>, <kevin.mayo@chandleraz.gov>

bcc

Subject Park Place Office Triangle - AP08-0003/DVR08-0014

History: This message has been forwarded.

Dear Mr. Flanders;

I am writing to you this email in regards to the rezoning request that will be before you on Oct 15, 2008.

I am one of the principals of Vintage Villas subdivision located on Willis between Dobson and Price Rd. and the owner of Palacia Homes. Our Project is immediately to the east of the current commercial piece being constructed at Park Place and south of the new Park Place triangle that is being rezoned.

When we originally requested rezoning of our project, a higher density product was out of the question. We originally requested 7000-8000 sq. ft. size lots, but we were told it had to be 10,000-12,000 sf.ft. We were held to the highest and toughest architectural standards as well. This has resulted in the most expensive plans to be built on larger lots. The high cost of our homes does not allow us to offer them at the current market prices. We are incurring major losses as a direct result of this.

The construction of 35' to 45' commercial buildings next to the backyard of our homes to the west has not helped. I am still puzzled why the city would force 10,000-12,000 sq. ft. lots next to 35' high commercial building with no transition from low density to maybe medium density and then commercial. It contradicts good city planning. I also understand, that it is water under the bridge.

The answer to our request for smaller lots was, 'we can't change the general plan'..... 'it would not get approved'.....'staff will not support it.....'. I also know that this is commercial, which generates more income for the city. Because of that the city staff is more open to accepting and allowing this type of applications to be filed.

I have attended the applicants neighborhood meetings and voiced our objection to this rezoning. I have also spoken several times with Kevin Mayo of the city of Chandler planning in regards to our opposition. We believe what is being requested is a change in the General Plan and we are totally against this rezoning case.

The staff and commission's enforcement of the general plan rules by not allowing us smaller lots and therefore smaller homes has caused us major disadvantages and financial hardship on our project at Vintage Villas. Surrounding us with more commercial is going to make matters even worse. I believe, the city should be fair and hold the applicant to the same standard. Once you set an example at the triangle piece, where you rezone a low density to commercial, then the next applicant is the 5 acre piece immediately to the north of us. We are completely against changing the general plan.

Please advise, if I should be meeting with all the members in person in order to voice our objection to this rezoning, or if we should be getting our attorney involved.

The applicant was aware of the general plan and the zoning of this land. They chose to purchase it knowing that and in the hope of having their attorney change it. I am sure that you will not allow this or any applicant to change the general plan that was voted on by the

commission and the council, even if there are attorneys telling you to reverse it.

Thanks for your consideration.

Kayvan Sanaiha
480-545-1243 Off
480-507-0905 Fax
602-486-0300 Mobile

Clifford J. Goodman, Jr., MD
Dina Goodman
602 N. Bull Moose Dr.
Chandler, AZ 85224

November 5, 2008

Kevin Mayo
Mail Stop 105
PO Box 4008
Chandler, AZ 85244

Re: Area Plan AP08-0003/DVR08-0014 concerning Assessor's Parcel Number 303-25-020-F and our property Parcel Number 303-25-003-T, 2380 West Wildhorse Drive

Dear Kevin:

This letter is to express our protest to area plan AP08-0003/DVR08-0014.

Should this plan pass, there would exist large, prominent commercial structures on both sides of our property, 2380 W. Wildhorse Drive. Such structures would prevent our property from being feasibly developed in the manner in which it is currently zoned. We would be unable to develop the land while maintaining the 10,000 square foot minimum residential lot size.

Any change to the property immediately north of ours should include a change to the zoning of our property. A change in the current zoning of our property along with the other would allow for the appropriate transition of our property and more logical and feasible development of the area.

Sincerely,



Clifford J. Goodman, Jr., MD

commission and the council, even if there are attorneys telling you to reverse it.

Thanks for your consideration.

Kayvan Sanaiha
480-545-1243 Off
480-507-0905 Fax
602-486-0300 Mobile