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FEB 12 2009



Chandler • Arizona
Where Values Make The Difference

MEMORANDUM Planning and Development – CC Memo No. 09-009

DATE: JANUARY 23, 2009

TO: MAYOR AND CITY COUNCIL

THRU: W. MARK PENTZ, CITY MANAGER
 JEFF KURTZ, ACTING PLANNING & DEVELOPMENT DIRECTOR
 BOB WEWORSKI, PLANNING MANAGER

FROM: KEVIN MAYO, PRINCIPAL PLANNER

SUBJECT: DVR08-0040 SANTAN MIXED-USE AMENDED
 Introduction and Tentative Adoption of Ordinance No. 4128

Request: Rezoning from Planned Area Development (PAD) for office to PAD Amended to permit medical office uses within the single-story office component of a commercial development

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

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

Project Info: 3.2-acre site of an 18.2-acre development, 3 single-story office buildings, 27,131 total square-feet

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 3.2-acre parcel including the three single-story office buildings are 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 Price 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 entire 18.2-acre site received zoning and Preliminary Development Plan (PDP) approval in October 2004 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 retail 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. In September 2008, Council approved an amendment to the PAD expanding the list of permitted uses within the 5-story office building to include adult-educational facilities.

This application seeks to amend the existing PAD zoning for the three single-story office buildings located on approximately 3.2-acres at the southwest corner of the 18.2-acre development. The three subject single-story buildings are currently zoned PAD to allow general office uses only. The proposed amendment seeks to expand the permitted uses to include medical and dental office uses in addition to the permitted general office uses. The application does not propose any changes to the buildings or site as previously approved through a PDP.

As part of the original PAD approval, a shared parking model/analysis was included and ultimately approved permitting the office components of the commercial development to park at a ratio of 1-space per 222 square-feet in lieu of the Code required 1-space per 200 square-feet. For reference, Code requires 1-space per 150 square-feet of medical office space due to the higher turnover nature and parking demands of medical office uses versus general office uses. With the recently constructed optional 100-space parking garage extension, the three-single-story-office-building component can accommodate medical office uses within 75-percent of the 27,131 square-feet when parked at the 1/222 office and 1/150 medical office parking ratios. Staff has added a condition limiting the medical office uses to a maximum of 75-percent of the single-story office component while not being building specific.

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 proposed medical office uses would need to comply with the approved comprehensive sign plan.

DISCUSSION

Staff is of the opinion that amending the PAD zoning to allow medical and dental office uses in addition to the already permitted general office uses within the three single-story office buildings at The Park at Santan is appropriate and compatible with the balance of the existing development. These types of medical office uses not only serve the patrons and employees at The Park at Santan development, but benefit the surrounding residential communities as well. From a land use compatibility standpoint, medical office uses are often found within mixed-use developments such as The Park at Santan and continue to prove viable and compatible. Finally, from a parking standpoint, the development provides sufficient parking to accommodate the proposed use.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- The request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on December 11, 2008 at the Chandler Community Center. No one attended other than the applicant.

January 23, 2009

At the time of this writing, Staff is not aware of any opposition to this request.

PLANNING COMMISSION VOTE REPORT

Motion to approve:

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

RECOMMENDED ACTION

Upon finding the zoning amendment request to be consistent with the General Plan and approved PAD zoning, Planning Commission and Staff recommend approval subject to the following conditions:

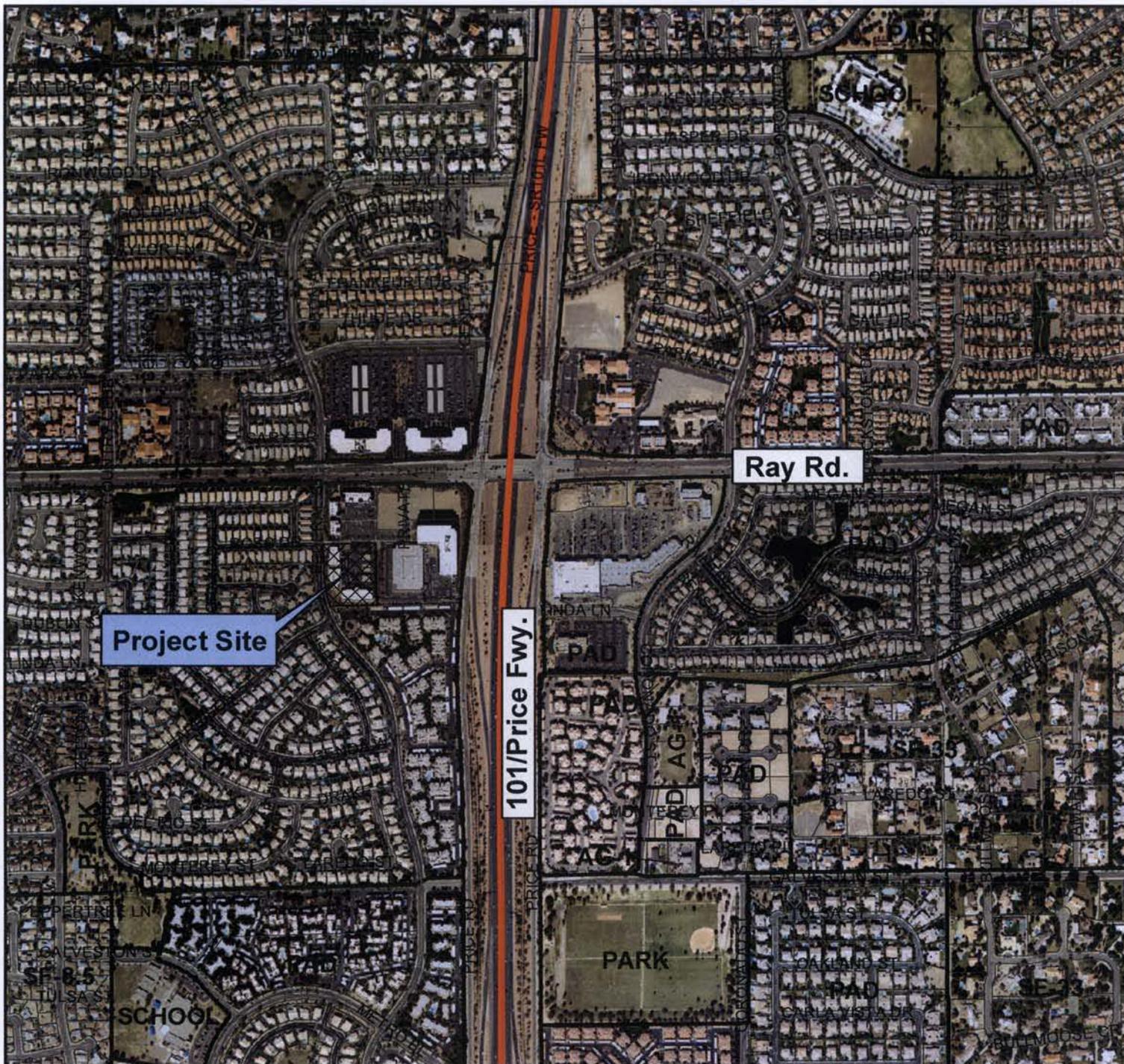
1. Development shall be in substantial conformance with the exhibits and representations within “Santan Mixed-Use Amended”, kept on file in the City of Chandler Planning Services Division, in File No. DVR08-0040, except as modified by condition herein.
2. Compliance with the original stipulations adopted by the City Council as Ordinance 3622, in case DVR04-0048 SANTAN MIXED USE AMENDED, except as modified by condition herein.
3. Medical office uses are limited to 75-percent of the building area within the three single-story office buildings.
4. The site shall be maintained in a clean and orderly manner.

PROPOSED MOTION

Move to introduce and tentatively adopt Ordinance No. 4128 approving DVR08-0040 SANTAN MIXED-USE AMENDED rezoning from PAD office to PAD Amended to permit medical office uses, as recommended by Planning Commission and Staff.

Attachments

1. Vicinity Maps
2. Ordinance No. 4128
3. Site Plan
4. Applicant Narrative
5. Original Ordinance No. 3622

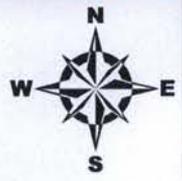


Project Site

Ray Rd.

101/Price Fwy.

Vicinity Map



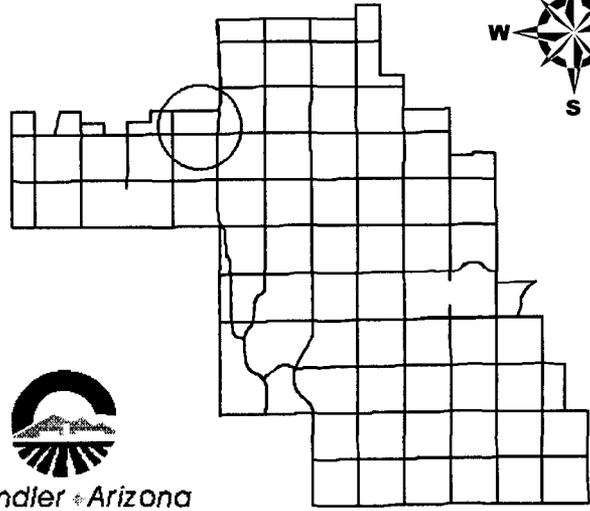
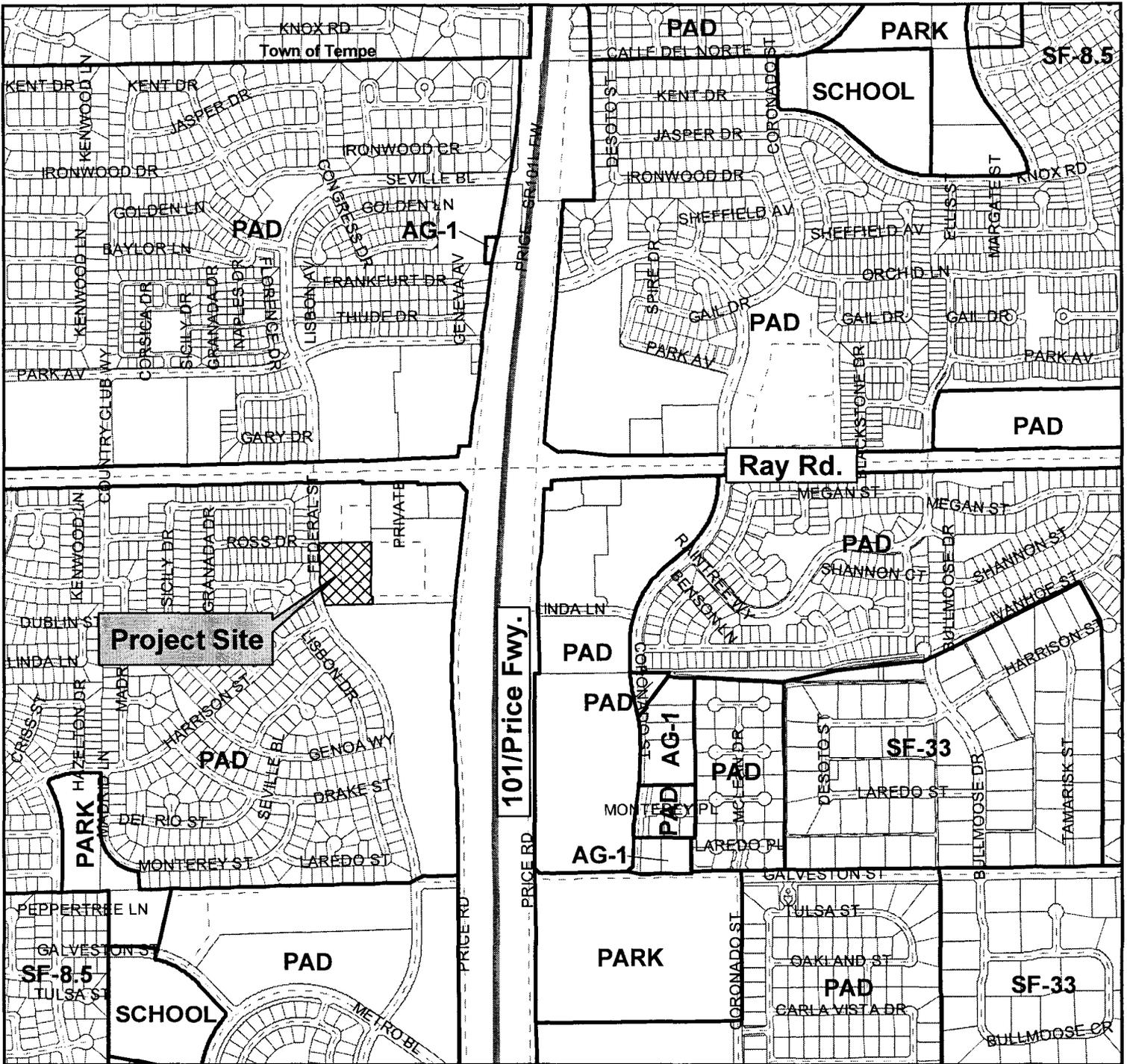
DVR08-0040

Santan Mixed Use Amended



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Where Values Make The Difference

CITY OF CHANDLER 11/10/2008



Vicinity Map



DVR08-0040

Santan Mixed Use Amended

ORDINANCE NO. 4128

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) OFFICE TO PLANNED AREA DEVELOPMENT (PAD) AMENDED TO INCLUDE MEDICAL OFFICE (DVR08-0040 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 permit medical office uses within the single-story office component of a commercial development, 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. DVR08-0040, except as modified by condition herein.

CERTIFICATION

I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 4128 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the _____ day of _____, 2009, and that a quorum was present thereat.

CITY CLERK

APPROVED AS TO FORM:

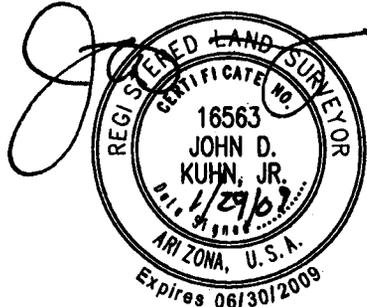
CITY ATTORNEY *BAR*

PUBLISHED:



**Evans, Kuhn
& Associates, Inc.**

7227 N. 16th Street
Suite 140
Phoenix, AZ 85020
602.241.0782 phone
602.248.9158 fax



January 29, 2009
The Village at San Tan
Property Legal Description
EKA# 5397.01
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 a brass cap in hand hole found at the North quarter corner of said section 25;
THENCE North 89°59'01" East along the North line of said Northeast quarter of Section 25. a distance of 1328.95 feet (1328.84 feet record) to a brass cap flush marking the monument line of Federal Street;

THENCE departing said North line South 00°10'16" East (South 00°10'13" East record), along said monument line, a distance of 450.13 feet to the POINT OF BEGINNING;

THENCE departing said monument line North 90°00'00" East a distance of 30.01 feet to a point on the East right-of-way line of said Federal Street;

THENCE continuing North 90°00'00" East a distance of 331.53 feet;

THENCE South 00°00'00" East a distance of 339.94 feet;

THENCE North 90°00'00" East a distance of 13.00 feet;

THENCE South 00°00'00" East a distance of 52.60 feet to a point on the North line of Pinnacle Terrace Apartments, Map of Dedication, as recorded in Book 456 of Maps, Page 29, records of Maricopa County;

THENCE South 89°59'01" West, along last said North line, a distance of 338.86 feet to a point on the monument line of Federal Street and the beginning of a non-tangent curve concave to the Northeast;

THENCE along the arc of said curve, the center of which bears North 71°45'21" East a distance of 700.00 feet, through a central angle of 18°04'23" an arc length of 220.80 feet;

THENCE continuing along said monument line of Federal Street North 00°10'16" West a distance of 181.50 feet to the POINT OF BEGINNING.

Subject to existing easements and covenants.

Said parcel contains 141,127 sq. ft. or 3.2398 acres, more or less.

EXHIBIT B

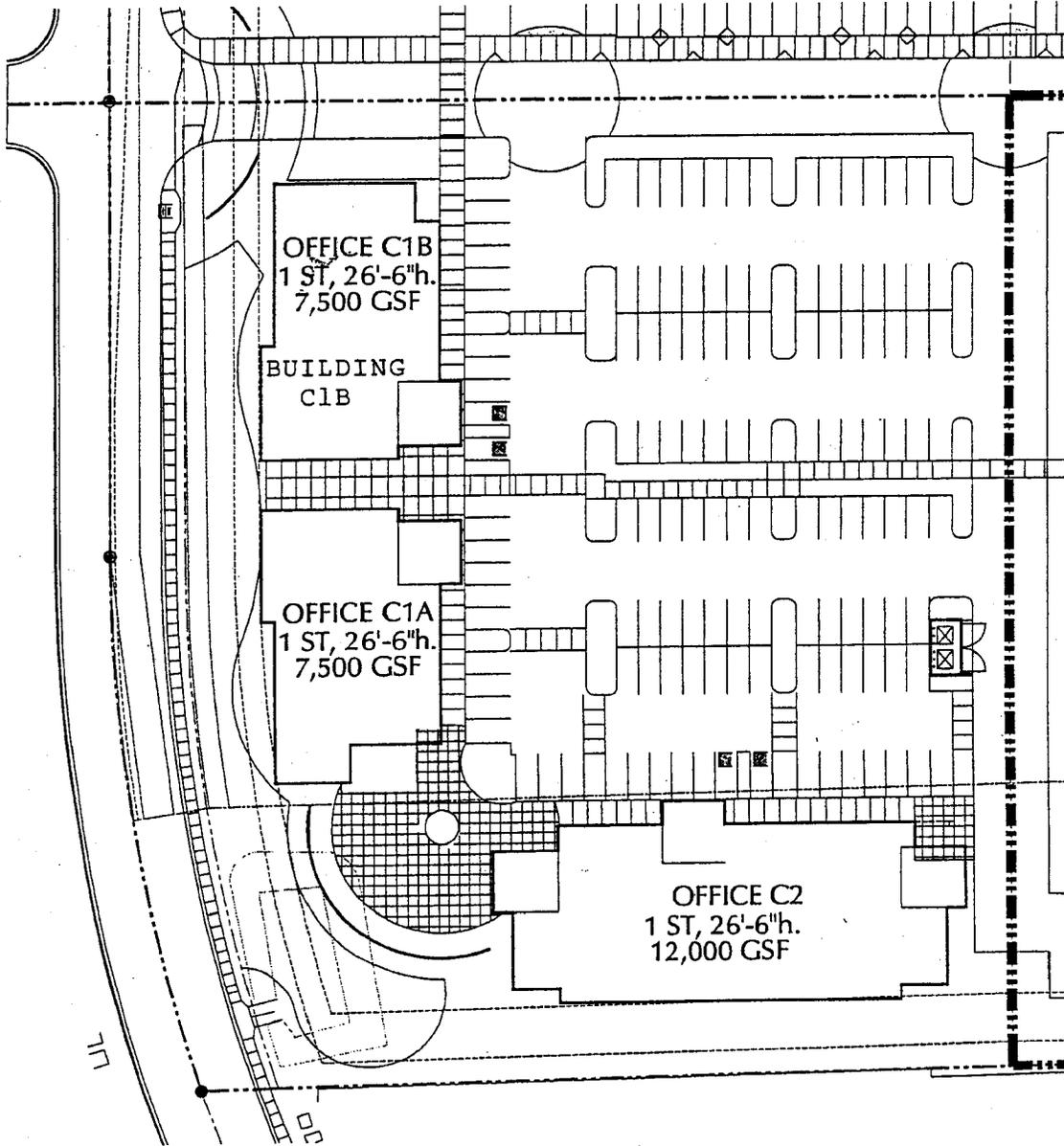
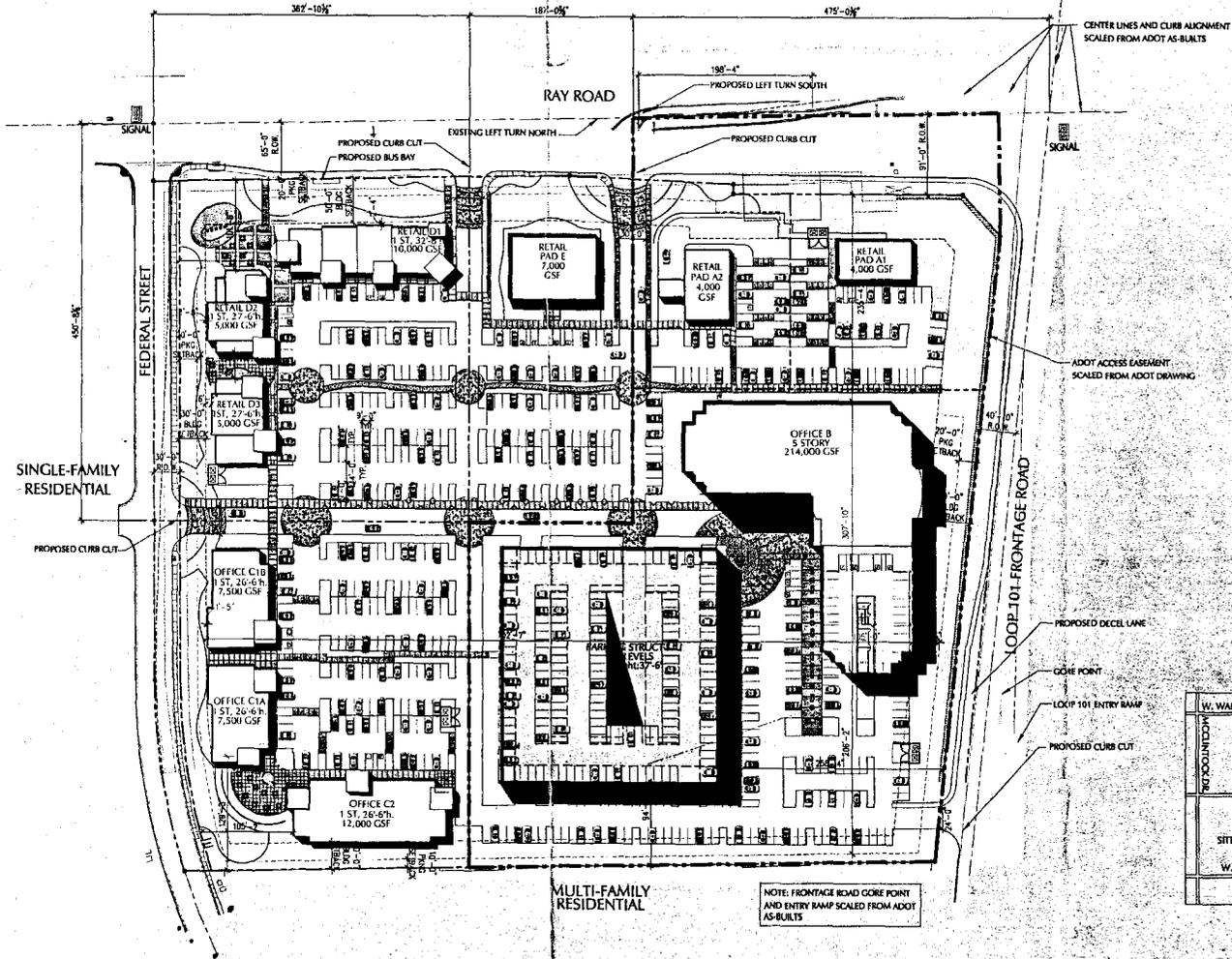


EXHIBIT B

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



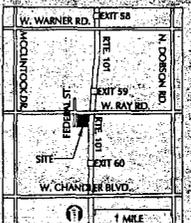
DEVELOPER:
 JF MCKINNEY & ASSOCIATES, LTD.
 JACK A. CHAPMAN
 14223 NORTH 58th PLACE
 SCOTTSDALE, AZ 85254
 (602) 923-7831

ARCHITECT:
 DFD-CORNOYER HEDRICK
 ERIC ZOBORIST
 REGISTRATION #: 365570
 2425 EAST CAMELBACK RD., #400
 PHOENIX, AZ 85016
 (602) 912-2562

CIVIL ENGINEER:
 EVANS KLUM & ASSOCIATES
 JOHN GRAY
 REGISTRATION #: 22868
 727 E. BETHANY HOME RD., #D225
 PHOENIX, AZ 85014
 (602) 241-0782

TRAFFIC ENGINEER:
 KIRGHAM MICHAEL
 TOVE CHRISTINA WHITE
 REGISTRATION #: 27781
 9201 N 25th AVE., STEF 150
 PHOENIX, AZ 85021
 (602) 944-6564

LANDSCAPE ARCHITECT:
 PHILLIP & RYAN LANDSCAPE
 ARCHITECT, P.C.
 PHILLIP RYAN
 REGISTRATION #: 14891
 1343 N. ALMA SCHOOL RD., #185
 CHANDLER, AZ 85224
 (480) 899-5813



NOTE: FRONTAGE ROAD CORE POINT AND ENTRY RAMP SCALED FROM ADOT AS-BUILTS

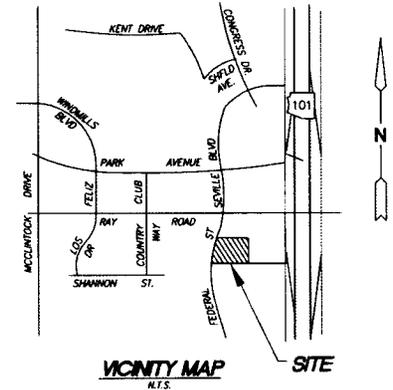
DFD-CORNOYER HEDRICK
 architecture
 interior architecture
 space planning
 facilities management
 team building
 landscape architecture
 graphic design

0' 60' 120' 180' 240'

SAN TAN MIXED USE
 Chandler, Arizona
 02372
 27-SEP-04

"THE VILLAGE AT SAN TAN"

A CONDOMINIUM PLAT OF LOT 6 OF THE PARK AT SAN TAN, A SUBDIVISION RECORDED IN BOOK 831, PAGE 42, M.C.R., WHICH IS A 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



VICINITY MAP
R.L.S.

SITE

Evans,
& Ass
7227 N.
Phoenix,
802-241-1
802-248-5

CONDOMINIUM PLAT

REVISION
DRAWING

DRAWING

DATE '15'
P.I.C.
DRAWN I
CHECKED
PROJECT
DRAWING

1

ASSOCIATION RATIFICATION

BY THIS RATIFICATION, JACK A. CHAPMAN, DULY ELECTED PRESIDENT OF THE VILLAGE AT SAN TAN OWNERS ASSOCIATION, INC., ACKNOWLEDGES THE RESPONSIBILITIES IDENTIFIED HEREON.

JACK A. CHAPMAN
DATE 7/27/2006

ACKNOWLEDGMENT

STATE OF ARIZONA
COUNTY OF MARICOPA) SS.

ON THIS 27th DAY OF JULY, 2006, BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED JACK A. CHAPMAN, WHO ACKNOWLEDGED HIMSELF TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE INSTRUMENT WITHIN, AND WHO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSE THEREIN CONTAINED.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL.

Notary Public



DATE

MY COMMISSION EXPIRES: October 9, 2008

LEGEND OF SYMBOLS

⊙	BRASS CAP IN HANDHOLE AS NOTED	R/W	RIGHT-OF-WAY
○	BRASS CAP FLUSH AS NOTED	V.N.A.E.	VEHICULAR NON ACCESS EASEMENT
●	MONUMENT FOUND AS NOTED	MCR	MARICOPA COUNTY RECORDER
•	REBAR SET, OR TO BE SET AT THE COMPLETION OF MASS GRADING, W/CAP LS 16563	I.E.	INGRESS, EGRESS AND EMERGENCY VEHICULAR ACCESS EASEMENT
---	MONUMENT LINE/CENTERLINE	EX.	EXISTING
---	PROPERTY LINE	---	LOT LINE
---	RIGHT-OF-WAY LINE	---	EASEMENT LINE

NOTES

- OMISSION OF DETAILS: THE DIAGRAMMATIC PLANS INTENTIONALLY OMIT DETAILED INFORMATION OF INTERNAL NON-BEARING WALLS WITHIN INDIVIDUAL UNITS. LIKEWISE, ALL DETAILS CONCERNING PROTRUSIONS OF VENTS, COLUMNS, BEAMS, LOWERED CEILINGS, WINDOW CASINGS AND OTHER SIMILAR FEATURES WITHIN INDIVIDUAL UNITS HAVE BEEN INTENTIONALLY OMITTED FROM THIS CONDOMINIUM PLAN.
- THE DEFINITIONS OF UNIT BOUNDARY, COMMON ELEMENTS, AND LIMITED COMMON ELEMENTS ARE MORE PARTICULARLY DESCRIBED IN THE CONDOMINIUM DECLARATION.
- UNIT NUMBERS SHOWN ON THE CONDOMINIUM PLAT ARE NOT TO BE MISCONSTRUED AS SUITE NUMBERS ASSIGNED BY THE CITY OF CHANDLER FOR ADDRESSING PURPOSES.
- BUILDING LETTERS SHOWN ARE NOT PART OF THE ADDRESS OR SUITE NUMBERS, AND WILL NOT BE ON THE BUILDINGS.
- THE PARK AT SAN TAN, LLC, A DELAWARE LIMITED LIABILITY COMPANY, AS OWNER, HEREBY DEDICATES TO THE "THE VILLAGE AT SAN TAN CONDOMINIUM ASSOCIATION", AN ARIZONA NONPROFIT CORPORATION, A BLANKET EASEMENT OVER THE COMMON ELEMENTS FOR THE PURPOSE OF POTABLE WATER, SANITARY SEWER, FIRE LANE, PEDESTRIAN ACCESS, VEHICULAR ACCESS, DRAINAGE, INGRESS/EGRESS, AND REFUSE COLLECTION.

CITY OF CHANDLER NOTES

SEE SHEET 2

SITE AREA

GROSS AREA = 3.24 ACRES
NET AREA = 2.96 ACRES

SURVEYOR'S CERTIFICATION

THIS IS TO CERTIFY THAT THIS PLAT IS CORRECT AND ACCURATE AND THE MONUMENTS DESCRIBED HEREIN HAVE EITHER BEEN SET OR LOCATED AS DESCRIBED TO THE BEST OF MY KNOWLEDGE AND BELIEF.

JOHN D. KUPPI, JR.
R.L.S. 16563
7227 NORTH 16TH STREET
SUITE 140
PHOENIX, ARIZONA 85020



INDEX

SHEET 1 COVER SHEET
SHEET 2 CONDOMINIUM PLAT

BOOK 867 PAGE 17

OFFICIAL RECORDS OF
MARICOPA COUNTY RECORDER
HELEN PURCELL

2006-1227651

08/15/2006 10:06 AM

AREAS

TOTAL UNITS	6	BUILDING C2	39.00 SQ. FT.
BUILDING C1A	7,566.50 SQ. FT.	FIRE RISER ROOM (F)	
BUILDING C1B	7,566.50 SQ. FT.	BUILDING C2	106.34 SQ. FT.
BUILDING C2	11,999.32 SQ. FT.	ELECTRIC SYSTEM ROOM (ES)	
COMMON ELEMENT	101,927.43 SQ. FT.		
TOTAL (NET)	128,058.78 SQ. FT. 2.96 AC.		

OWNER/DEVELOPER

THE PARK AT SAN TAN, LLC,
A DELAWARE LIMITED LIABILITY COMPANY
71 SOUTH WACKER DRIVE, SUITE 3065
CHICAGO, IL 60606
CONTACT: JOHN F. MCKINNEY

BENCHMARK

CORN #5
SECTION 25, T1S, R4E, 3" CITY OF CHANDLER BRASS CAP
IN CONCRETE, FLUSH BETWEEN CHANDLER BOULEVARD AND
RAY ROAD, 250' EAST OF MCCLINTOCK DRIVE AT THE
INTERSECTION OF LAVERN DRIVE AND GALVESTON STREET.
ELEVATION = 1174.975 CITY OF CHANDLER DATUM

LEGAL DESCRIPTION

LOT 6 OF "THE PARK AT SAN TAN" AS RECORDED IN BOOK 831, PAGE 42, RECORDS OF MARICOPA COUNTY, ARIZONA.

BASIS OF BEARINGS

N85°59'01"E ALONG THE MONUMENT LINE OF RAY ROAD AND THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 1 SOUTH, RANGE 4 EAST AS RECORDED ON THE FINAL PLAT OF "DANCY RANCH UNIT 1" IN BOOK 358 OF MAPS, PAGE 08 M.C.R.

CERTIFICATIONS

THIS IS TO CERTIFY THAT IN MY OPINION ALL UNITS AND COMMON ELEMENTS SHOWN UPON THIS PLAT CONFORM TO GOOD LAND PLANNING PRACTICES AND ARE SUITABLE FOR THE PURPOSE FOR WHICH THEY ARE SUBDIVIDED.

DATE 7/9/06
PLANNING AND DEVELOPMENT DIRECTOR

THIS IS TO CERTIFY THAT ALL ENGINEERING CONDITIONS AND REQUIREMENTS OF THE CITY CODE HAVE BEEN COMPLIED WITH AND THAT THE PROPOSED SUBDIVISION IS LOCATED WITHIN AN AREA DESIGNATED AS HAVING AN ASSURED WATER SUPPLY PURSUANT TO SECTION 45-576, ARIZONA REVISED STATUTES.

DATE 9/7/06
CITY ENGINEER

APPROVALS

APPROVED BY THE SOURCE OF THE CITY OF CHANDLER, ARIZONA THIS 21 DAY OF August, 2006.

DATE 9/26/06
MAYOR
DATE 9/14/06
ATTEST
CITY CLERK



C.O.C. LOG NO. CPT06-0009

AVOCATION

STATE OF ARIZONA) SS.
COUNTY OF MARICOPA)
I, MEN BY THESE PRESENTS:

I, THE PARK AT SAN TAN, LLC, A DELAWARE LIMITED LIABILITY COMPANY, AS OWNER OF THE PROPERTY PLATTED HEREON, HAS SUBMITTED FOR PUBLIC USE UNDER THE NAME "THE VILLAGE AT SAN TAN", LOT 6 OF "THE PARK AT SAN TAN", A SUBDIVISION RECORDED IN BOOK 831, PAGE 42, M.C.R., WHICH IS A 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. AS SHOWN AND PLATTED HEREON AND PUBLISHES THIS CONDOMINIUM PLAT AND HEREBY DECLARES THAT THIS CONDOMINIUM PLAT SETS FORTH THE LOCATION AND GIVES DIMENSIONS AND NUMBERS TO EACH UNIT. THE PARK AT SAN TAN, LLC, A DELAWARE LIMITED LIABILITY COMPANY AS LEGAL OWNER HEREBY DEDICATES TO THE CITY OF CHANDLER AN EASEMENT OVER THE LIMITED COMMON ELEMENTS FOR PURPOSE OF EMERGENCY VEHICULAR ACCESS. EASEMENTS ARE DEDICATED AS SHOWN ON THIS PLAT. THE PARK AT SAN TAN, LLC, A DELAWARE LIMITED LIABILITY COMPANY, AS OWNERS HEREBY DECLARES THAT THE MAINTENANCE OF LANDSCAPING WITHIN THE PUBLIC RIGHT-OF-WAY TO BACK OF WILL BE THE RESPONSIBILITY OF "THE VILLAGE AT SAN TAN OWNERS ASSOCIATION, INC." THE PARK AT SAN TAN, LLC, A DELAWARE LIMITED LIABILITY COMPANY, AS OWNERS HEREBY DECLARES THAT COMMON ELEMENTS LABELED HEREON BY THE LETTERS "ES" AND "F" ARE NOT DEDICATED TO PUBLIC, BUT ARE PLATTED AS "LIMITED COMMON ELEMENTS" FOR THE USE OF THE UNIT OWNERS AS MORE FULLY SET FORTH IN THE INSTRUMENT DECLARATION. THE PARK AT SAN TAN, LLC, A DELAWARE LIMITED LIABILITY COMPANY, DECLARES THAT ALL PROPERTY, MONUMENTS AND S PROPOSED TO BE MAINTAINED BY THE UNIT OWNERS ASSOCIATION ARE HEREWIT PLATTED AS COMMON ELEMENTS WITH AN UNDIVIDED INTEREST OWNED IN COMMON BY EACH UNIT OWNER.

ALL ELEMENTS ARE PLATTED AS COMMON PROPERTY WITH AN UNDIVIDED INTEREST OWNED IN COMMON BY EACH UNIT OWNER FOR UNIT OWNER'S ENJOYMENT AS MORE FULLY SET FORTH IN THE CONDOMINIUM DECLARATION.

THIS CONDOMINIUM IS SUBJECT TO THE LIMITATIONS AND REQUIREMENTS OF THE AVOCATION EASEMENT RECORDED FOR "THE PARK AT SAN TAN" AS SET FORTH IN BOOK 831, PAGE 32, RECORDS OF MARICOPA COUNTY, ARIZONA.

WHEREOF, THE PARK AT SAN TAN, LLC, A DELAWARE LIMITED LIABILITY COMPANY, HAS HERETO CAUSED ITS NAME TO BE ADDED AND THE INSTRUMENT TO BE ATTESTED BY THE SIGNATURE OF THE UNDERSIGNED OFFICERS, THEREUNTO DULY AUTHORIZED THIS 27th DAY OF JULY, 2006.

BY: JACK A. CHAPMAN, MEMBER
DATE 7/27/2006

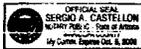
ACKNOWLEDGMENT

STATE OF ARIZONA) SS.
COUNTY OF MARICOPA)

I, MEN BY THESE PRESENTS:

ON THIS 27th DAY OF JULY, 2006, BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED JACK A. CHAPMAN, AS A MEMBER OF RAY CORPORATE PLAZA, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, AS MEMBER OF SAN TAN DEVELOPMENT COMPANY, A DELAWARE LIMITED LIABILITY COMPANY, AS MEMBER OF THE PARK AT SAN TAN, LLC, A DELAWARE LIMITED LIABILITY COMPANY, ON BEHALF OF WHOM HE ACKNOWLEDGED HIMSELF TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE INSTRUMENT WITHIN, AND WHO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL.



MY COMMISSION EXPIRES: OCTOBER 9, 2008

HOLDER RATIFICATION

STATE OF ARIZONA) SS.
COUNTY OF MARICOPA)

I, MEN BY THESE PRESENTS:

UNDERSIGNED AS BENEFICIARY OF THAT CERTAIN DEED OF TRUST RECORDED IN DKT. NO. 2006-0185125, RECORDS OF MARICOPA COUNTY OF MARICOPA COUNTY, ARIZONA, HEREBY RATIFIES, AFFIRMS, AND APPROVES THIS PLAT, THE DECLARATION OF RESTRICTIONS RECORDED HERIN, AND EACH AND EVERY DEDICATION CONTAINED HEREIN.

SS WHEREOF, THE UNDERSIGNED HAVE SIGNED THEIR NAMES THIS 8th DAY OF August, 2006.

JEFFREY TETTEL

Vice President



ACKNOWLEDGMENT

STATE OF ARIZONA) SS.
COUNTY OF MARICOPA)

ON THIS 29th DAY OF August, 2006, BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED Jeffrey Tettel, WHO ACKNOWLEDGED HIMSELF TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE INSTRUMENT WITHIN, AND WHO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

SS WHEREOF, I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL.

DATE 8/29/06

THE PARK AT SAN TAN

SWC LOOP 101 AND RAY ROAD

November 3, 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 3.24 acres to permit medical and dental offices and clinics within the existing single story offices. No building modifications or additions are requested as part of this amendment.

PROPOSED USE

This application requests approval to permit medical and dental offices and clinics within the existing single story offices located in the southwestern portion of the project. Currently, there are three single-story office buildings totaling approximately 27,000 sq.ft. Again, no building modifications or additions are requested as a part of this amendment. The following is a summary of the existing office buildings and their current uses:

BUILDING	SIZE	EXISTING USE
Office Building C1A	7,566 sq.ft.	Occupied by an Engineering Firm
Office Building C1B	7,566 sq.ft.	Vacant
Office Building C2 (Units 103-105)	11,999 sq.ft.	Unit 103 Occupied by a Financial Planner Units 104, 105 and 106 are Vacant
Total	27,131 sq.ft.	

Importantly, it is not anticipated or planned to have all remaining vacant spaces to be sold for medical or dental purposes. We anticipate that a percentage of the total available spaces may be sought after and purchased for these uses. Specific hours of operation are not known at this time, however, it is speculated that the general hours of operation for these uses will be 7 am - 7 pm Monday through Friday and possible extended hours on the weekend.

PARKING

Currently, the site provides 134 parking spaces within Lot 6 only. However, the entire project provides for cross parking. Additionally, the zoning case which was approved in 2004 permitted

a modification to the parking standards. Specifically, the parking ratio for office was reduced from the Code required 1 space per 200 square feet to 1 space per 222 square feet.

When considering the entire office component, there are a total of 1,132 parking spaces provided. If we were to make a large assumption that approximately 19,500 sq.ft. of the single-story office were to be sold for medical/dental offices or clinics the site would still only require 1,111 parking spaces leaving an excess of 21 parking spaces. Attached is a parking analysis which provides a more specific breakdown.

ZONING HISTORY

The site has received various zoning approvals for commercial development since 1988. In 2004, the site was rezoned 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. Most recently, the Council approved a minor PAD amendment to permit educational and college facilities as part of the existing 5-story office development.

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 single-story office buildings to include medical and dental offices and clinics. 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 seek medical and dental services within close proximity of their home.

PARKING ANALYSIS

SINGLE STORY OFFICE AREA ONLY:*

		Medical, Dental Offices, Clinics 1 space per 150 sf	Typical Office 1 space per 222 sf (as approved during original zoning)	Requirement by Building
Office C1B	7,566 sq.ft.	51		51
Office C1A	7,566 sq.ft.		34	34
Office C2	11,999 sq.ft.	80		80
Total Parking Required				165
Parking Currently Provided				134
Additional Parking Necessary				31

SHARED OFFICE AREAS:*

		Medical, Dental Offices, Clinics 1 space per 150 sf	Typical Office 1 space per 222 sf (as approved during original zoning)	Requirement by Building
Office C1B	7,566 sq.ft.	50		51
Office C1A	7,566 sq.ft.		34	34
Office C2	11,999 sq.ft.	80		80
Office B – 5 Story	210,000		946	946
Total Parking Required				1111
Parking Currently Provided				1032
Additional Garage Expansion (+100 spaces)				100
Total Parking Provided				1132

* This analysis does not identify any specific building or unit for medical/dental office or clinic uses. It is merely an analysis of potential square footage.

Excerpt from 2004 Approved Kirkham-Michael Study:

The City's Code-requirement for providing parking for office uses is 5.0 spaces for every 1,000 square feet of gross floor area. This parking rate is significantly higher than:

- ULI's recommended rate for office use, which is 3.0 spaces for every 1,000 square feet of occupied floor area,
- ITE's recommended range of rates for office use, which is 2.4 to 2.8 spaces for every 1,000 square feet of gross building area, and
- Eno Foundation's recommended range of rates for office use, which is 3.3 to 4.0 space for every 1,000 square feet of gross floor area.

In light of the above, Kirkham Michael's study during the 2004 zoning case proved parking for the office component of this development at a minimum rate of 4.5 spaces per 1,000 square feet of gross floor area was more than adequate (as approved by the City Council).

#7

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: