

#7

FEB 10 2011

ORDINANCE NO. 4283

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM SINGLE-FAMILY RESIDENTIAL (SF-8.5) TO PLANNED AREA DEVELOPMENT (DVR10-0016 MEDINAH PLAZA) 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 SF-8.5 to PAD, subject to the following conditions:

1. 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.

2. Development shall be in substantial conformance with Exhibit 7, Development Booklet, entitled "MEDINAH PLAZA", kept on file in the City of Chandler Planning Division, in File No. DVR10-0016, except as modified by condition herein.
3. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
4. Landscaping shall be in compliance with current Commercial Design Standards.
5. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
6. The site shall be maintained in a clean and orderly manner.
7. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
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 to not create problems with sign visibility or prompt the removal of required landscape materials.
9. Approval by the Director of Planning and Development of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Director of Transportation & Development for arterial street median landscaping.

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.

INTRODUCED AND TENTATIVELY APPROVED by the City Council this ____ day of _____, 2011.

EXHIBIT 'A'

PARENT LEGAL DESCRIPTION

That part of the South half of the Southwest quarter of the Northwest quarter of the Southwest quarter of Section 28, Township 1 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

Beginning at a point on the West line of said Section 28, which is Southerly 991.56 feet, more or less, from the West quarter corner of said Section, said point being also the Northwest corner of the South half of the Southwest quarter of the Northwest quarter of the Southwest quarter of said Section;

Running thence Easterly along the North line of said South half of the Southwest quarter of the Northwest quarter of the Southwest quarter of Section 28, a distance of 673.24 feet, more or less, to the East line of the said Southwest quarter of the Northwest quarter of the Southwest quarter of said Section 28;

Thence Southerly along said East line, a distance of 121.76 feet, more or less, to the Northeast corner of the one-acre tract conveyed by J.M. Herman, et ux to J.R. Miller, et ux, by Deed recorded in Book 143 of Deeds, page 267;

Thence Westerly along the North line of said one-acre tract, a distance of 208.71 feet, more or less, to the Northwest corner thereof;

Thence Southerly along the West line of said one-acre tract, a distance of 43.48 feet, more or less, to the South line of the North half of the said South half of the Southwest quarter of the Northwest quarter of the Southwest quarter;

Thence Westerly along the said South line, a distance of 464.77 feet, more or less, to the West line of said Section 28;

Thence Northerly along the said West line, 165.26 feet to the Point of Beginning.

Except the East 25 feet and the West 50 feet thereof; and

Except that part of the South half of the Southwest quarter of the Northwest quarter of the Southwest quarter of Section 28, Township 1 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

Commencing at a point on the West line of said Section 28, which is Southerly 991.56 feet, more or less, from the West quarter corner of said Section, said point being also the Northwest corner of the South half of the Southwest quarter of the Northwest quarter of the Southwest quarter of said Section;

Thence Easterly along the North line of said South half of the Southwest quarter of the Northwest quarter of the Southwest quarter of Section 28, a distance of 490.07 feet to the Point of Beginning;

Thence continuing Easterly along said North line, 183.00 feet, more or less, to the East line of the Southwest quarter of the Northwest quarter of the Southwest quarter of said Section 28;

Thence Southerly along said East line, a distance of 121.76 feet, more or less, to the Northeast corner of the one-acre tract conveyed by J.M. Herman, et ux to J.R. Miller, et ux, by Deed recorded in Book 143 of Deeds, page 267;

Thence Westerly along the North line of said one-acre tract, a distance of 183.00 feet;

Thence North 00 degrees 17 minutes 07 seconds West, a distance of 121.68 feet to the Point of Beginning.

Except the East 25 feet thereof.