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APR 28 2011

ORDINANCE NO. 4290

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM AGRICULTURAL (AG-1) TO AGRICULTURAL/PLANNED AREA DEVELOPMENT (AG-1/PAD) (DVR11-0001 RDR SOLAR FARM) 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 (AG-1) to Agricultural/Planned Area Development (AG-1/PAD), subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "RDR Solar Farm" kept on file in the City of Chandler Current Planning Division, in file number DVR11-0001, except as modified by condition herein.
2. The landscaping in all open spaces and rights-of-way shall be maintained by the adjacent property owner.

3. Approval by the Director of Transportation and Development of plans for landscaping (open spaces and rights-of-way) and perimeter walls.
4. 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.
5. Completion of the construction, where applicable, 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.
6. All mechanical devices shall be completely screened from view.
7. A security camera system shall be installed on the property.
8. The landscaping and property shall be continuously maintained in a weed free manner and kept in a debris free manner at all times.

SECTION II. Except where provided, nothing contained herein shall be construed to be an abridgment of any other ordinance of the City of Chandler.

SECTION III. The Transportation & Development Department of the City of Chandler is hereby directed to enter such changes and amendments as may be necessary upon the Zoning Map of said Zoning Code in compliance with this ordinance.

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

ATTEST:

CITY CLERK

MAYOR

PASSED AND ADOPTED by the City Council this _____ day of _____,
2011.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 4290 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the _____ day of _____, 2011, and that a quorum was present thereat.

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY *GAB*

PUBLISHED:

Attachment A
Ordinance No. 4290

LEGAL DESCRIPTION OF RECORD:

A PORTION OF FARM UNITS "H" AND "J" OR THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 1; THENCE NORTH 89° 27' 31" EAST, ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 1, A DISTANCE OF 1,321.32 FEET; THENCE DEPARTING SAID NORTH LINE, SOUTH 00°12' 57" EAST A DISTANCE OF 91.17 FEET; THENCE NORTH 89° 47' 03" WEST, A DISTANCE OF 30.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 00° 12' 57" EAST, A DISTANCE OF 151.00 FEET; THENCE SOUTH 89° 27' 31" WEST, A DISTANCE OF 150.00 FEET; THENCE NORTH 00° 12' 57" WEST A DISTANCE OF 171.00 FEET; THENCE NORTH 89° 27' 31" EAST, PARALLEL TO AND 71.00 FEET SOUTH OF THE NORTH LINE OF SAID SECTION 1, A DISTANCE OF 130.00 FEET; THENCE SOUTH 45°22' 43" EAST, A DISTANCE OF 28.20 FEET TO THE TRUE POINT OF BEGINNING;

EXCEPT THE NORTH 33 FEET;

EXCEPT THAT PORTION DEEDED TO THE CITY OF CHANDLER IN WARRANTY DEED RECORDED IN DOCUMENT NO. 2003-1416939, RECORDS OF MARICOPA COUNTY, ARIZONA;

EXCEPT THAT PORTION DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 1; THENCE SOUTH 89°27' 31" WEST ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 1, ACCORDING TO THE FINAL PLAT OF RANCHO DEL RAY, RECORDED IN BOOK 648 OF MAPS, PAGE 50, RECORDS OF MARICOPA COUNTY, ARIZONA, A DISTANCE OF 1321.32 FEET; THENCE DEPARTING SAID NORTH LINE, SOUTH 00° 12' 57" EAST A DISTANCE OF 91.17 FEET; THENCE SOUTH 89° 47' 03" WEST A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 00° 12' 57" EAST, A DISTANCE OF 42.57 FEET; THENCE SOUTH 89° 27' 31" WEST A DISTANCE OF 29.31 FEET; THENCE NORTH 00° 12' 57" WEST, A DISTANCE OF 62.57 FEET TO A POINT ON A LINE WHICH IS PARALLEL WITH AND 71.00 FEET SOUTHERLY, AS MEASURED AT RIGHT ANGLES FROM THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 1; THENCE NORTH 89° 27' 31" EAST, ALONG SAID PARALLEL LINE, A DISTANCE OF 9.31 FEET; THENCE SOUTH 45° 22' 43" EAST, A DISTANCE OF 28.20 FEET TO THE POINT OF BEGINNING.