

ORDINANCE NO. 4313

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM PAD TO PAD (DVR11-0008 FULTON RANCH II) 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 to PAD, subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Fulton Ranch II – Reserve at Fulton Ranch", kept on file in the City of Chandler Planning Services Division, in File No. APL11-0002/DVR11-0008, except as modified by condition herein.
2. 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.

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. 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.
5. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual # 4).
6. 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.
7. The developer shall be required to install landscaping in the arterial street median(s) 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.
8. Approval by the Director of Transportation & 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.
9. The covenants, conditions and restrictions (CC & R's) to be filed and recorded with the subdivision shall mandate the installation of front yard landscaping within 180 days from the date of occupancy with the homeowners' association responsible for monitoring and enforcement of this requirement.
10. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
11. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or association.
12. 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.

13. 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 FULTON RANCH II – RESERVE AT FULTON RANCH development shall use treated effluent to maintain open space, common areas, and landscape tracts.

14. Homebuilder will advise all prospective homebuyers of the information on future City facilities contained in the City Facilities map found at www.chandleraz.gov/infomap, or available from the City's Communication and Public Affairs Department. The homebuilder shall post a copy of the City Facilities map in the sales office showing the location of future and existing City facilities.
15. No more than two identical side-by-side roof slopes should be constructed along arterial or collector streets or public open space.
16. All homes built on corner lots within the residential subdivision shall be single-story or a combination of one- and two-story with the one-story portion on the street side.

- 17. The same elevation shall not be built side-by-side or directly across the street from one another.
- 18. The tot lot shall be a minimum of 20 total play stations.
- 19. Prior to the time of making any lot reservations or subsequent sales agreements, the home builder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the subdivision is located adjacent to or nearby existing railroad tracks and railroad right-of-way that may cause adverse noise, odors, and other externalities. The "Public Subdivision Report", "Purchase Contracts", CC&R's, and the individual lot property deeds shall include a disclosure statement outlining that the site is adjacent to or nearby an existing railroad track and railroad right-of-way, and the disclosure shall state that such uses are legal and should be expected to continue indefinitely. This responsibility for notice rests with the homebuilder/lot developer and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.

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.

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. 4313 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:

JUN 23 2011



MEMORANDUM Transportation & Development – CC Memo No. 11-061a

DATE: JUNE 20, 2011

TO: MAYOR AND CITY COUNCIL

THRU: RICH DLUGAS, CITY MANAGER *RD*
 PATRICK MCDERMOTT, ASSISTANT CITY MANAGER *PM*
 R.J. ZEDER, TRANSPORTATION & DEVELOPMENT DIRECTOR *RJZ*
 JEFF KURTZ, PLANNING ADMINISTRATOR *JK*
 KEVIN MAYO, PLANNING MANAGER *KM*

FROM: JODIE M. NOVAK, MEP, SENIOR CITY PLANNER *JMN*

SUBJECT: APL11-0002 SOUTHSORE AREA PLAN AMENDMENT / DVR11-0008
 FULTON RANCH II/PPT11-0001 RESERVE AT FULTON RANCH
 Adoption of Resolution No. 4521
 Introduction and Tentative Adoption of Ordinance No. 4313

Condition No. 19 is being added to this request and requires the homebuilder to disclose the existence of the railroad adjacent to the proposed single-family residential development. The disclosure advises that the railroad use should be expected to continue indefinitely and may have adverse impacts.

Condition No. 19 reads as follows:

- 19. Prior to the time of making any lot reservations or subsequent sales agreements, the home builder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the subdivision is located adjacent to or nearby existing railroad tracks and railroad right-of-way that may cause adverse noise, odors, and other externalities. The “Public Subdivision Report”, “Purchase Contracts”, CC&R’s, and the individual lot property deeds shall include a disclosure statement outlining that the site is adjacent to or nearby an existing railroad track and railroad right-of-way, and the disclosure shall state that such uses are legal and should be expected to continue indefinitely. This responsibility for notice rests with the homebuilder/lot developer and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.

#12

JUN 23 2011



MEMORANDUM Transportation & Development – CC Memo No. 11-061

DATE: JUNE 2, 2011

TO: MAYOR AND CITY COUNCIL

THRU: RICH DLUGAS, CITY MANAGER *RD*
 PATRICK MCDERMOTT, ASSISTANT CITY MANAGER *PM*
 R.J. ZEDER, TRANSPORTATION & DEVELOPMENT DIRECTOR *RJZ*
 JEFF KURTZ, PLANNING ADMINISTRATOR *JK*
 KEVIN MAYO, PLANNING MANAGER *KM*

FROM: JODIE M. NOVAK, MEP, SENIOR CITY PLANNER *JMN*

SUBJECT: APL11-0002 SOUTHSORE AREA PLAN AMENDMENT / DVR11-0008
FULTON RANCH II/PPT11-0001 RESERVE AT FULTON RANCH
 Adoption of Resolution No. 4521
 Introduction and Tentative Adoption of Ordinance No. 4313

Request: Area Plan amendment from a mixed-use project of Office, Commercial Retail/Restaurant, Hotel, and Multi-Family Residential to Single-Family Residential Medium Density

Rezoning from Planned Area Development (PAD) zoning for a mixed-use project of Office, Commercial Retail/Restaurant, Hotel, and Multi-Family Residential with a mid-rise overlay to PAD for Single-Family Residential Medium Density

Preliminary Development Plan (PDP) and Preliminary Plat approval for the single-family residential development

Location: Approximately one-half mile south of the southeast corner of Ocotillo Road and Arizona Avenue

Applicants: Ed Bull, Burch & Cracchiolo, P.A.

Project Info: Approximately 43 net acres; a gated, single-family residential subdivision with 218 lots at a medium density of approximately 5.1 du/acre, 4,680 square foot lots (52' x 90'), 6 housing plans including 3 one-story and 3 two-story plans

RECOMMENDATION

Upon finding the Area Plan amendment and Rezoning request to be consistent with the General Plan and Southeast Chandler Area Plan, Planning Commission and Planning Staff recommend approval of this request. Upon finding the Preliminary Development Plan and Preliminary Plat requests to be consistent with the Residential Development Standards, Planning Commission and Planning Staff recommend approval.

BACKGROUND

The subject site is approximately 43 acres and located approximately one-half mile south of the southeast corner of Ocotillo Road and Arizona Avenue. West of the site is Arizona Avenue and the Fulton Ranch master planned community. The Union Pacific Railroad tracks are east of the site. North of the site is an existing church, Desert Palms Presbyterian Church, and a Home Depot anchored commercial retail development. South of the property is land zoned and planned for a single-family residential medium density development named Southshore Village.

This application request includes an Area Plan amendment, Rezoning, Preliminary Development Plan, and Preliminary Plat as follows:

- First, proposed amendment to the Southshore Area Plan changing approximately 43 acres from mixed-use including office, commercial retail/restaurant, hotel, and multi-family residential townhomes to single-family residential medium density.
- Secondly, proposed rezoning of approximately 43 acres from Planned Area Development (PAD) office, commercial retail/restaurant, hotel, and multi-family residential townhomes with a mid-rise overlay to PAD for single-family residential medium density.
- Thirdly, proposed Preliminary Development Plan (PDP) and Preliminary Plat approval for the 43-acre residential project.

In December 2008, an Area Plan amendment, Rezoning, and PDP was approved for a mixed use project named South Shore. The approval changed the site's land uses from office/showroom and light industrial to office, commercial retail/restaurant, hotel, and multi-family residential townhomes uses with a mid-rise overlay. The project was a mix of 28 acres of office, commercial, and residential lofts, and 15 acres of multi-family residential townhomes with approximately 376,000 square feet of office/commercial building area. The residential component included 126 total residential units made up of 41 residential lofts, 64 townhomes, and 21 live/work townhomes. The overall density was approximately 6 du/ac. The Mid-Rise Overlay was approved for a hotel, office buildings, and retail buildings with residential lofts. This project never commenced and the zoning is still effective until January 2012 pending a new rezoning approval.

The Fulton Ranch II (a.k.a. Reserve at Fulton Ranch) project includes 218 single-family residential lots developed as a medium density subdivision. The subdivision is gated with a tree-lined boulevard to the main gated entry serving as a prominent focal feature. Approximately 20% open space is included throughout the subdivision with the use of usable active open spaces, landscape tracts, and a landscaped street frontage and entry boulevard.

A tree-lined boulevard entrance at Lake Drive creates a prominent sense-of-arrival as similarly designed at the existing Fulton Ranch entrance off of Lake Drive directly across Arizona Avenue. A landscape median extends the length of the drive up to the entrance/exit gates with Date Palms as well as detached sidewalks behind the line of trees. Elm trees line both sides of the boulevard and are provided along Arizona Avenue with turf creating a themed landscape design.

The primary access to and from the development is off of Arizona Avenue at Lake Drive, which is a signalized intersection that also provides access to Fulton Ranch and is the primary entrance and exit for the community. An additional access point is located off of the signalized intersection of Arizona Avenue and Home Improvement Way. This access provides the second gated entrance and exit at the east end of Home Improvement way to the north end of the subdivision.

The 218 lot residential subdivision provides for a medium density community at 5.1 du/ac. The single-family lots are individual, detached homes that provide an opportunity for homeowners to be a part of the larger Fulton Ranch master planned development. The subdivision has access to the shopping, offices, and community amenities at Fulton Ranch. The intent of this subdivision is to provide for an expansion of Fulton Ranch with a different housing product offering not available in Fulton Ranch.

HOUSING PRODUCT

The six housing products include three one-story plans ranging from 1,563 to 1,847 square feet and three two-story plans ranging from 2,128 to 2,611 square feet. Housing plans are designed with several architectural styles including Spanish Colonial, Traditional Cottage, and Territorial Ranch. Each housing plan includes three elevation styles providing a total of 18 housing plan options.

The homes offer a mix of recessed forward facing garages and side entry garages. Standard features include rear yard covered patios, covered front entries or porches, stone veneer on the Territorial Ranch elevation, decorative coach lights, and garage doors with windows. The home's exterior includes four-sided architectural elements, two-toned paint, window molding, varied rooflines and roof tiles, window shutters, decorative brackets, decorative vents, wrought iron accents, corbels, themed wing walls, and varied window designs.

There are two roof tile options and four paint color schemes unique to each elevation. Fulton Homes predetermines elevations for each lot to maintain diversity. Two-story homes are designed to avoid a box-on-box appearance with the introduction of one-story components on rear elevations and/or front elevations, or a combination one- and two-story designed home.

Elevation details include arched elements and decorative trim above garage doors, enhanced bases and banding elements on columns, flared columns, flared wing walls off the garage, front elevation pot shelf, hipped gable rooflines with decorative corbels, extended roof overhangs, projecting wall sections on second story, balcony with metal railing, and courtyard wall/columns.

The housing products design complies with the Residential Development Standards architectural diversity elements. The homes meet all 9 required elements and provide 8 of the minimum required 7 optional elements.

SUBDIVISION DIVERSITY

The Residential Development Standards allow for lots less than 7,000 square feet in size either in a single parcel or within any unit of a multi-parcel PAD zoned development as long as all the diversity guidelines are met for the entire project. The Residential Development Standards in conjunction with PAD zoning are intended to achieve greater diversity within new residential developments relative to lot sizes, subdivision layout, and single-family architecture, and to insure that departures from conventional zoning standards are truly warranted by virtue of creativity, amenity, and diversity.

The subdivision design complies with most of the Residential Development Standards subdivision diversity elements. However, the development proposal includes requests for waivers from some of the subdivision diversity elements. The subdivision layout meets 6 of the 8 required elements and provides 7 of the 10 minimum required optional elements. There are two required elements that are not provided including vehicular access to rear yards and deeper rear yard setbacks of 30-feet for two-story homes. These two elements cannot be accommodated due to the size of the proposed lots. The subdivision is short three optional elements, which are typically found in subdivisions with lots greater than 7,000 square feet in size. Lot size, lot layout, and street configurations make it difficult to provide a true curvilinear street system, cul-de-sacs with a special feature, and wider side yards. Adding these features is not conducive to lots less than 7,000 square feet as curvilinear streets and cul-de-sacs create lots with greater depth or width which is not the intent of this development.

However, the subdivision does comply with an optional element which is rarely met; providing a subdivision feature that is not listed but which meets the intent for diversity. In this case, a unique, long boulevard entrance design including streetscape theming leading up to the subdivision gates creates a prominent sense of arrival. And, the streetscape theme, signage elements, and entry/wall designs and materials continue the Fulton Ranch master planned identification, which creates a sense of inclusiveness for this parcel to the existing Fulton Ranch.

Planning Staff supports the proposed implementation of Residential Development Standards. The development incorporates a meandering, looped street system, 15-foot wide landscape tracts at ends of streets adjacent to corner lots, various open spaces and amenities supporting a pedestrian-friendly and active community, clustering of lots with shortened street lengths providing for better neighborhood interaction, and avoiding homes backing up along Arizona Avenue and along the railroad right-of-way as part of a smaller lot housing community.

The subdivision design includes a lush landscaped frontage along Arizona Avenue that is over 40 feet wide along much of the street. A community swimming pool area includes a children's pool, shade structures, restroom building, and community multi-purpose building. Adjacent to the pool area is a large open space with turf for informal recreation. A playground tot lot area is provided within a nearby open space area with 25 play stations and additional useable turf area. All of

these amenities are centrally located and accessible to all homeowners. A sports court with shade ramada and open lawn area is situated at the subdivision's north end.

The proposed minimum building setbacks are designed specifically to accommodate the smaller lot sizes while maintaining several standards found on standard size single-family lots. The front yard setbacks range from a minimum of 10 feet for side-entry garages, porches, or livable space, and 18 feet for forward-facing garages measured to the face of the garage door. Rear yard setbacks are a minimum of 10 feet. The minimum side yard setbacks are 5 feet and 7 feet. While this is less than the traditional 5 feet and 10 feet, the setbacks are greater than that provided in nearby subdivisions. The approved but yet to develop Southshore Village and existing Pinelake Village to the south and southeast respectively include 4,230 square foot lots with a z-lot configuration using use and benefit easements which create functional side yards that are 0 feet, 5 feet, or 10 feet wide. Architectural projections are permitted to encroach up to 12 inches in the front and side yard setbacks.

The development restricts corner lots to one-story homes or combination one- and two-story homes with the one-story element on the street side, restricts the same front elevation from being built side-by-side or directly across the street from one another, and no more than two identical side-by-side roof slopes will be constructed along arterial streets. There are no homes that backup to Arizona Avenue thus no need to limit to the number of two-story homes along the arterial street.

While the property is within the Southeast Chandler Area Plan, it does not require conformance with that plan given this land is a part of the earlier adopted Southshore Area Plan. However, the development does incorporate rural themed elements by ranch style logos, wrought-iron fencing, stone accents, and a turf streetscape and boulevard entry design.

GENERAL PLAN CONFORMANCE / AREA PLAN BACKGROUND

The subject property is part of the Southeast Chandler Area Plan, which designates the property for Employment/Mixed Use development. This land use is based on the General Plan Land Use Element, which defines this property as Employment and as a "large growth tract area". The employment and mixed-use designations provide for a variety of employment center uses including office, retail, residential, and light industry. The Arizona Avenue corridor is identified in the Southeast Chandler Area Plan as the most intense land use in Southeast Chandler. This corridor is intended to accommodate the land uses as defined in the General Plan which include a variety of light industrial, campus-like business parks, and employment uses including a compatible mix of higher density housing, commercial support uses, corporate offices, and related uses. The request is consistent with the General Plan and Southeast Chandler Area Plan.

However, the approximate 43-acre site is part of the larger Southshore Area Plan bounded by Arizona Avenue, Ocotillo Road, Chandler Heights Road, and the Consolidated Canal. In March 1988, the Southshore Area Plan was established and defined specific land uses with PAD zoning. This plan supersedes the Southeast Chandler Area Plan. There have been several amendments to the Area Plan including a General Plan amendment in 1997 for the Pinelake Estates and Pinelake Village single-family home subdivisions. The General Plan amendment allowed for a single-

family residential development east of the railroad tracks instead of employment, business park, and multi-family uses. Land use amendments and rezoning requests have occurred over the years allowing for the development of Southshore Town Center, Southshore Town Center Phase II, Desert Palms Presbyterian Church, and Chandler United Methodist Church. A PDP for commercial development was approved on the northeast corner of Arizona Avenue and Chandler Heights Road.

The proposed Southshore Area Plan amendment retains the medium density single-family residential land use that was approved as part of the previously approved South Shore mixed-use development. In conformance with the General Plan, the original Southshore Area Plan had established higher density residential housing along the Arizona Avenue corridor and as a part of the Employment/Mixed Use land use designation. The Area Plan included a mix of higher density residential multi-family parcels, light industrial, and commercial uses.

The proposed medium-density single-family residential development's density is less dense than other types of multi-family residential that could be considered for this property. The proposed density of 5.1 du/ac is compatible with nearby single-family residential developments. The proposed single-family residential medium density development serves as a transition to Pinelake Estates and Pinelake Village as well as Fulton Ranch.

The Southshore Plan has been amended over time for other residential uses including Pinelake Village which was originally planned for multi-family residential up to 15 du/ac. This property was rezoned for medium density single-family residential at approximately 5.3 du/ac. Pinelake Estates was rezoned from light industrial, office, and multi-family residential to low density single-family residential at approximately 1.68 du/ac.

Staff is of the opinion the proposed development is in conformance with the General Plan and Southeast Chandler Area Plan. The Arizona Avenue corridor is intended to accommodate higher density housing, which serves as a transition to other land uses and existing developments. The proposed medium density single-family residential is compatible with the area's existing commercial and residential properties. The proposed density is no more intense than existing higher density residential housing in the area.

Development of property along Arizona Avenue between Ocotillo Road and Chandler Heights Road furthers the goals and planned land uses within the General Plan, Southeast Chandler Area Plan, and Southshore Area Plan by incorporating a residential use within a mix of existing commercial and residential uses as well as employment uses located further south along Arizona Avenue and to the north and east within the Airpark Area Plan. The subject site adds to the mix of uses by providing a residential housing option for the area.

The subdivision abuts the Union Pacific Railroad right-of-way and is designed to mitigate any negative impacts. There will be no residential buildings located within a 100-foot distance from the railroad tracks, a 6-foot high block wall along the east side, and homes are constructed with sound attenuation measures.

DISCUSSION

Staff is of the opinion that the single-family residential medium density subdivision furthers the City's goal to promote new development in growth areas and supports the existing residential use in the area. The residential development provides housing in close proximity to shopping, schools, office, and employment within Fulton Ranch, the Price Road Corridor, and the Chandler Airpark while achieving a good transition between the existing Fulton Ranch master planned community.

The development meets the intent of the Residential Standards including architecture, site design, and landscaping, while incorporating specific features defined by a specific architectural style for the overall Fulton Ranch community. The proposed smaller lots and side yard setbacks are appropriate as it offers a different product as part of Fulton Ranch while providing a quality and amenity filled neighborhood.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code for Area Plans, which includes notice to all property owners and homeowners' associations within a 1/4 mile (1,320 feet) and City Registered Neighborhood Organizations within a 1/2 mile (2,640 feet) radius of the site.
- A neighborhood meeting was held on March 31, 2011. There were 13 area property owner attendees, and applicant and developer representatives. At the time of this meeting, the development request included an office component with 188 homes. Residents from the area asked questions such as home prices, elevations, location of trees, if there were any two-story home restrictions on corner lots, and height of office buildings. However, the request changed and no longer includes an office component.
- An update letter was mailed in May 2011 to all persons in the required notification area that the plan has been modified and no longer includes the office component. Staff is not aware of any concerns or opposition to this change. The applicant received comments from area property owners, including homeowners and commercial site owners, supporting the removal of office to add more residential lots. There are letters of support from some property owners attached to this memo.
- As of the date of this memo, Staff is not aware of any opposition to this project.

PLANNING COMMISSION VOTE REPORT

Motion to Approve.

In Favor: 3

Opposed: 2 (Cason, Rivers)

Absent: 2 (Donaldson, Veitch)

Commission members opposed to this request conveyed they did not want to eliminate property currently planned for uses that generate tax revenue and avoid developing residential homes along the railroad which will at some time in the future be affected by more residential built along it. The overall concern was the proposed land use and a desire to keep this property available for future employment/business park use.

RECOMMENDATION

Planning Commission and Planning Staff, upon finding consistency with the General Plan and Southeast Chandler Area Plan, recommend approval of the Area Plan amendment, Rezoning, and Preliminary Development Plan subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Fulton Ranch II – Reserve at Fulton Ranch", kept on file in the City of Chandler Planning Services Division, in File No. APL11-0002/DVR11-0008, except as modified by condition herein.
2. 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.
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. 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.
5. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual # 4).
6. 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.
7. The developer shall be required to install landscaping in the arterial street median(s) 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.
8. Approval by the Director of Transportation & 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.
9. The covenants, conditions and restrictions (CC & R's) to be filed and recorded with the subdivision shall mandate the installation of front yard landscaping within 180 days from the date of occupancy with the homeowners' association responsible for monitoring and enforcement of this requirement.

10. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
11. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or association.
12. 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.
13. 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 FULTON RANCH II – RESERVE AT FULTON RANCH development shall use treated effluent to maintain open space, common areas, and landscape tracts.

14. Homebuilder will advise all prospective homebuyers of the information on future City facilities contained in the City Facilities map found at www.chandleraz.gov/infomap, or available from the City's Communication and Public Affairs Department. The homebuilder shall post a copy of the City Facilities map in the sales office showing the location of future and existing City facilities.

15. No more than two identical side-by-side roof slopes should be constructed along arterial or collector streets or public open space.
16. All homes built on corner lots within the residential subdivision shall be single-story or a combination of one- and two-story with the one-story portion on the street side.
17. The same elevation shall not be built side-by-side or directly across the street from one another.
18. The tot lot shall be a minimum of 20 total play stations.

Planning Commission and Planning Staff recommend approval of the Preliminary Plat subject to the following condition:

1. Approval by the City Engineer and Director of Transportation & Development with regard to the details of all submittals required by code or condition.

PROPOSED MOTIONS

▪ **Area Plan Amendment:**

Move to adopt Resolution No. 4521 approving the Southshore Area Plan Amendment APL11-0002 Southshore Area Plan Amendment, per Planning Commission and Planning Staff recommendation.

▪ **Rezoning and PDP:**

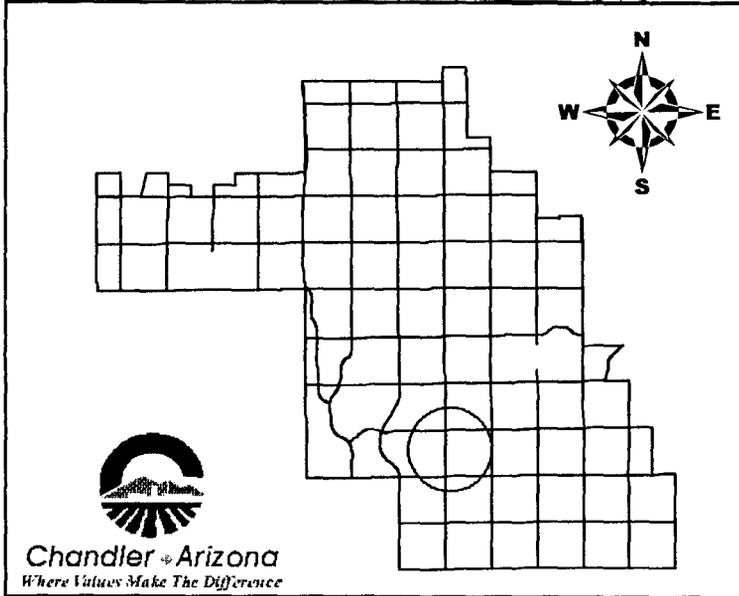
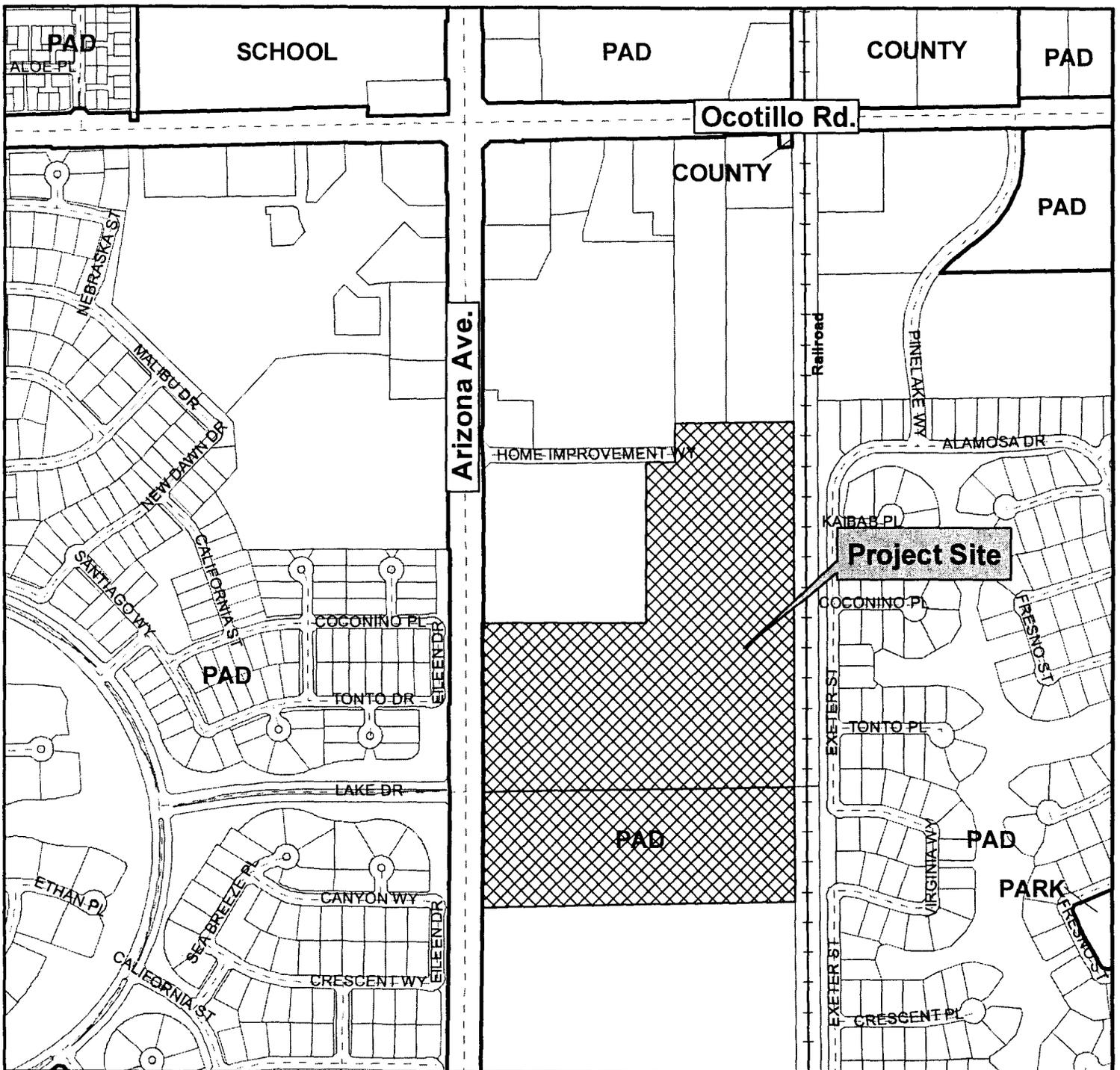
Move to introduce and tentatively adopt Ordinance No. 4313 approving DVR11-0008 Fulton Ranch II from PAD zoning with a mid-rise overlay for Office, Commercial Retail/Restaurant, Hotel, and Multi-Family Residential to PAD (Single-Family Residential Medium Density) with Preliminary Development Plan approval subject to the conditions as recommended by Planning Commission and Planning Staff.

▪ **Preliminary Plat:**

Move to approve Preliminary Plat PPT11-0001 Reserve at Fulton Ranch, per Planning Commission and Planning Staff recommendation.

Attachments

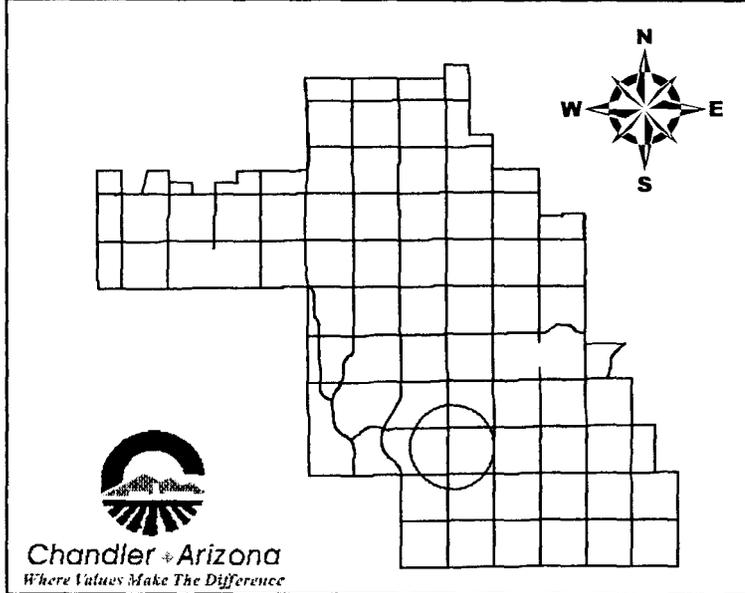
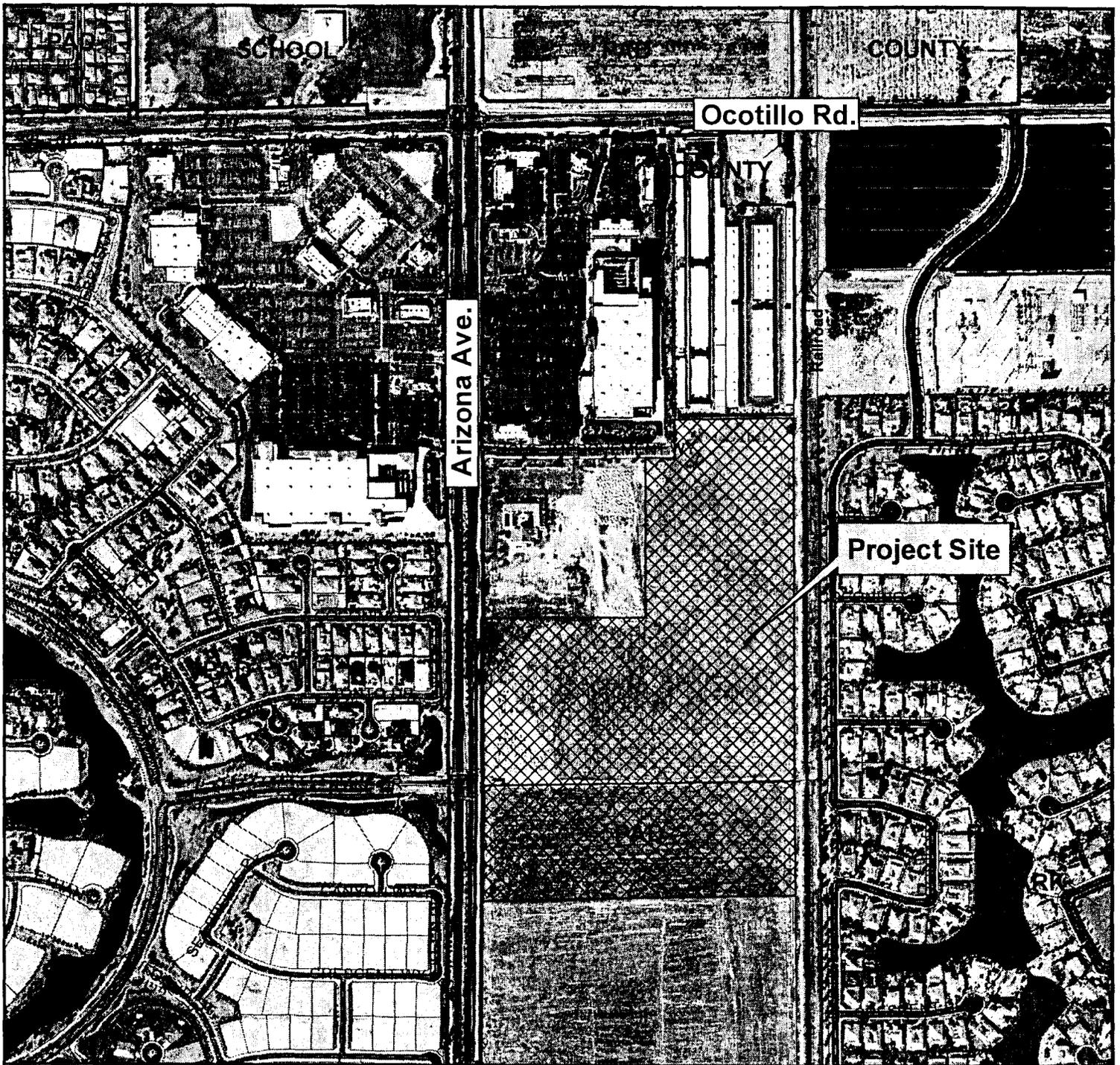
1. Vicinity Maps
2. Area Plans
3. Site Plan
4. Landscape Plans
5. Plot Plans
6. Elevations
7. Diversity Standards Analysis
8. Preliminary Plat
9. Letters of Support
10. Resolution No. 4521
11. Ordinance No. 4313
12. Development Booklet, Exhibit A



Vicinity Map



APL11-0002
 Southshore Area Plan
 Amendment
 &
 DVR11-0008
 Fulton Ranch II



Vicinity Map



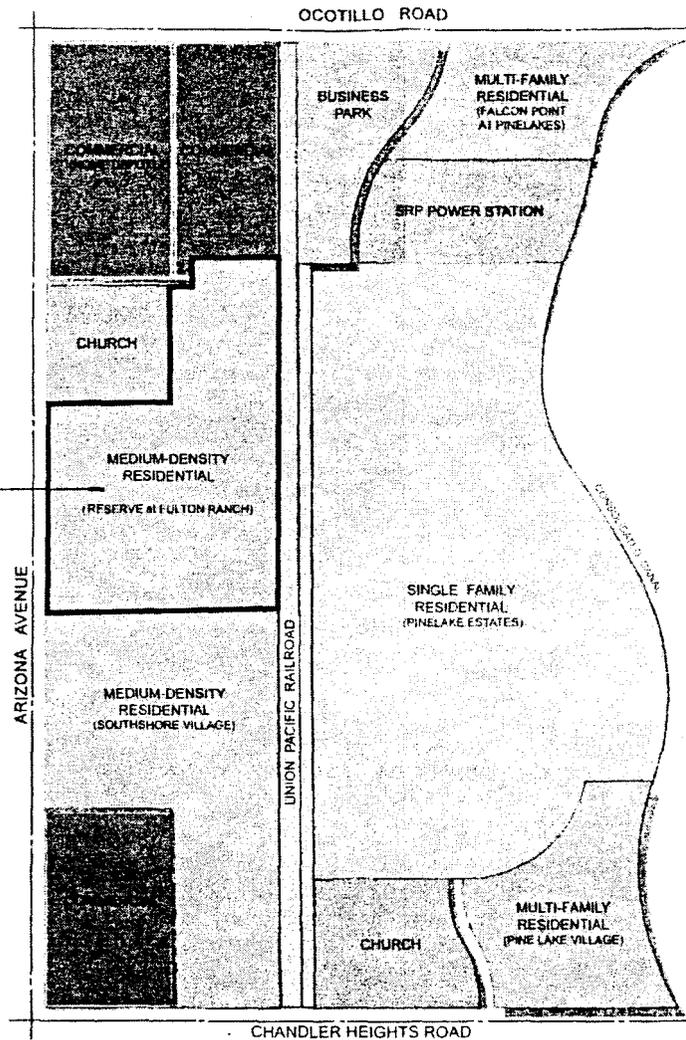
APL11-0002
Southshore Area Plan
Amendment
 &
DVR11-0008
Fulton Ranch II



Chandler • Arizona
Where Values Make The Difference

*Proposed Area Plan
 Amendment to the
 Southshore Area Plan*

Fulton Ranch II
 Reserve at Fulton Ranch
 RESIDENTIAL 44.68 Acres



Area Plan

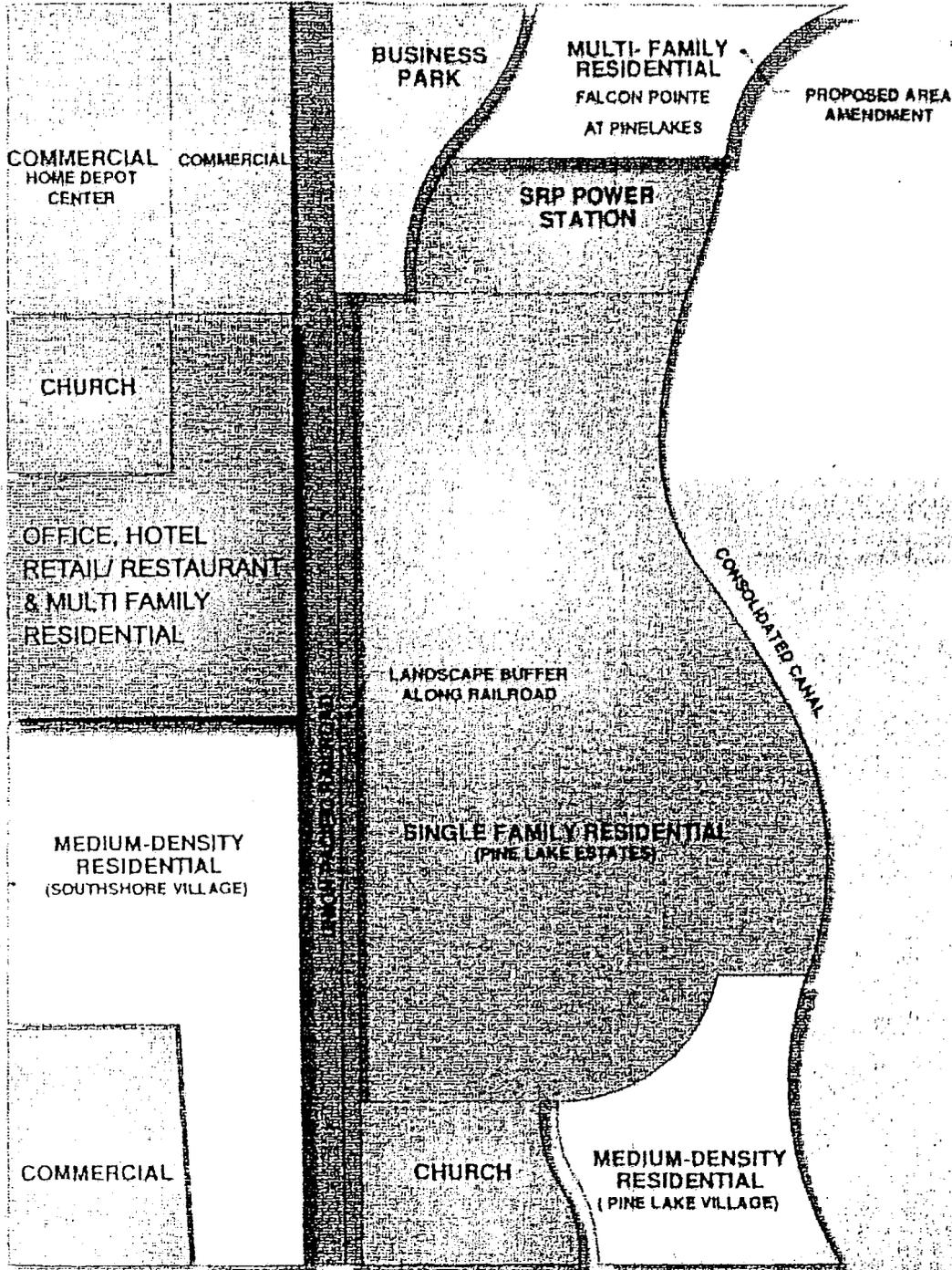


FULTON RANCH II

RESERVE AT FULTON RANCH

Fulton Homes

OCOTILLO ROAD



ARIZONA AVENUE

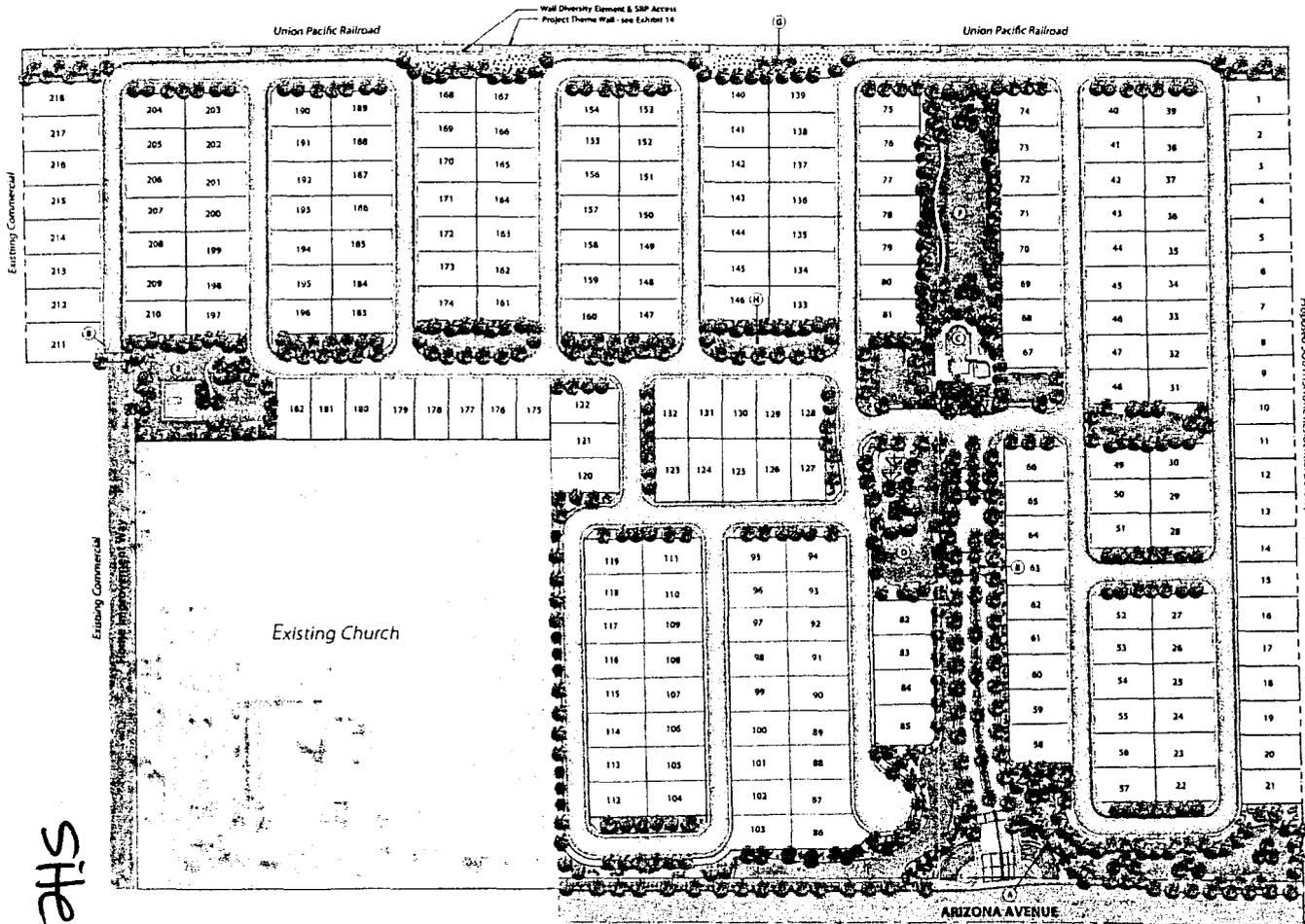
CHANDLER HEIGHTS ROAD

AREA PLAN

Southshore Area Plan Amendment
Zoning case APL10-0001

Resolution No. 4492
1-27-11 council

Existing Area Plan



ENHANCED DESIGN ELEMENTS

- (A)** Fulton Ranch style **ENTRY MOUNUMENTATION**
- (B)** **GATED** residential community with enhanced entry street, decorative paving and tree lined median prior to entry gates
- (C)** **SWIMMING POOL CENTER** with:
 Architectural entry tower
 Swimming pool (2,200 sf) connecting to a children's swimming pool area (600 sf)
 Generous pool deck with large shade structures
 Multi purpose HOA building (400 sf)
 Restrooms (460 sf)
- (D)** **TOT LOT AREA** amenity area with:
 Shade covered play structures for younger and older children
 Benches near play area
 Garden wall between local street and Play Structure
 Ramada (400 sf), picnic tables and BBQ grills
- (E)** **SPORTS COURT** amenity area with:
 Sports Court
 Ramada (400 sf), picnic tables and BBQ grills
 Open lawn area
- (F)** One acre **OPEN SPACE** will be landscaped with open lawn area to allow opportunities for recreational activities
- (G)** Common area **SIDEWALK CONNECTIVITY** to local street sidewalks
- (H)** Generous "end cap" landscape tract widths of 20' to 49' wide along the main north-south interior local street with detached meandering sidewalk

SITE DATA

	Gross Acres	Total Units	DU/Acre	Net Acres	Lot Dimensions	Open Space
Planned Area Development	44.68	218	5.1	42.94	52'-x90'	20% +/-

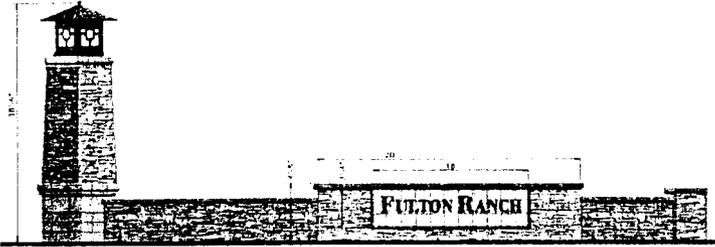
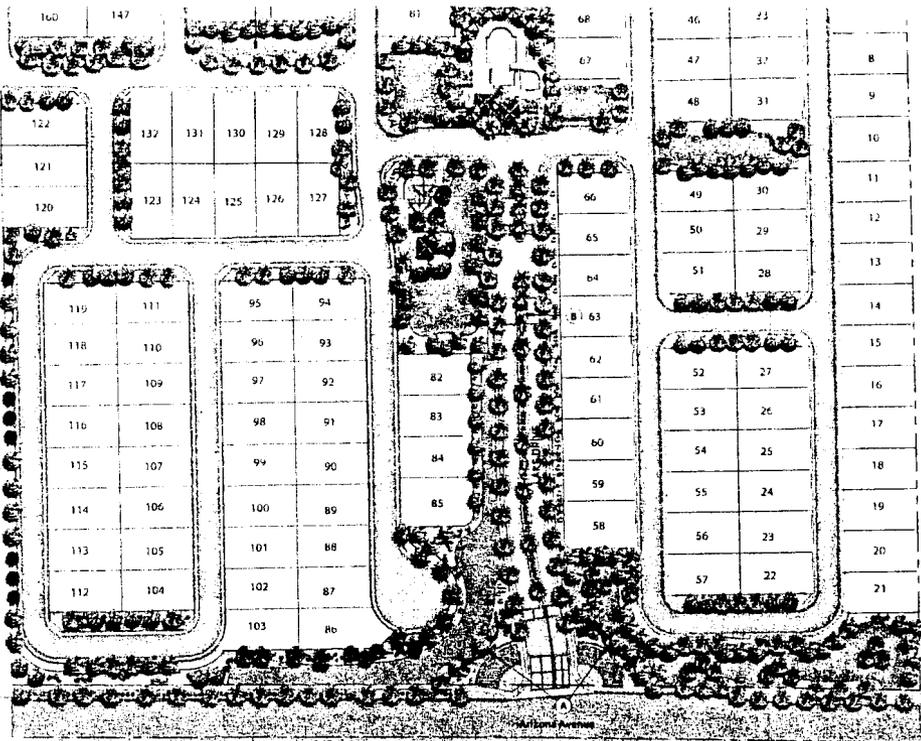
Site Plan

Site Plan

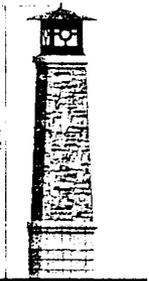


RESERVE AT FULTON RANCH

FULTON RANCH II
Fulton Homes

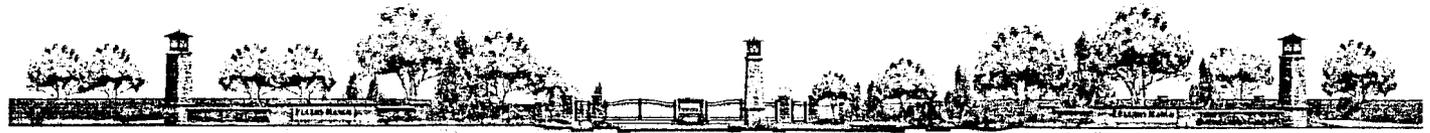


A Entry Monumentation
 Located on north & south sides of Lake Drive



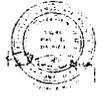
B Icon Column at Gate Area

*Landscape Plan
 Front Entry / Entrance
 Detail*

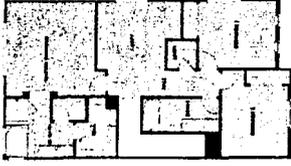


Entryway Section / Elevation

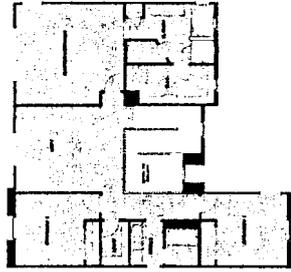
Corner Landscape Enhancement



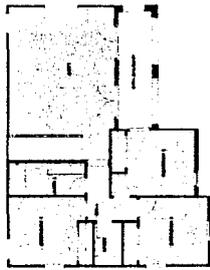
FULTON RANCH II
 RESERVE AT FULTON RANCH
 Fulton Homes



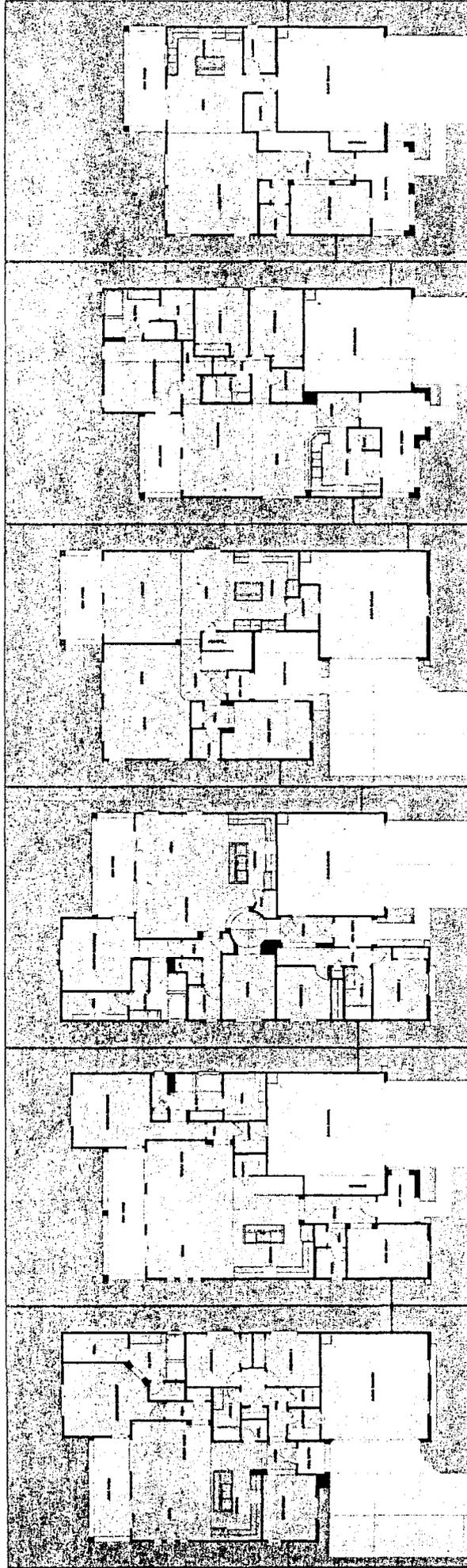
Upper Floor



Upper Floor



Upper Floor



PLAN 2
1,682 SF
ELEVATION 'C'

PLAN 5
2,307 SF
ELEVATION 'B'

PLAN 3
1,847 SF
ELEVATION 'A'

PLAN 6
2,601 SF
ELEVATION 'B'

PLAN 1
1,563 SF
ELEVATION 'C'

PLAN 4
2,128 SF
ELEVATION 'A'

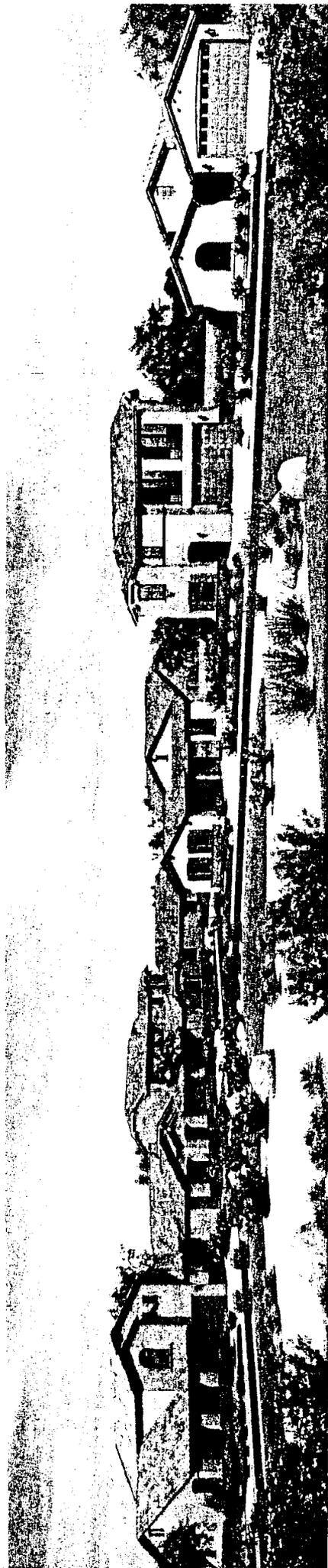
FULTON HOMES

THE RESERVE AT FULTON RANCH



PLAN STREETSCAPE
LINDEROTH ASSOCIATES, INC.

Plot Plans



FULTON HOMES

THE RESERVE AT FULTON RANCH



PERSPECTIVE STREETSCAPE
LINDEROTH ASSOCIATES, INC.

Elevation



PLAN 2
RANGELANDS
COURSHIRE 10

PLAN 5
COTTAGE ELEVATION B
COURSHIRE 5

PLAN 3
SPANISH ELEVATION A
COURSHIRE 3

PLAN 6
RANGELANDS
COURSHIRE 10

PLAN 1
COTTAGE ELEVATION B
COURSHIRE 5

PLAN 4
SPANISH ELEVATION A
COURSHIRE 3

FRONT ELEVATION STREETScape



PLAN 2
RANGELANDS
COURSHIRE 10

PLAN 5
COTTAGE ELEVATION B
COURSHIRE 5

PLAN 3
SPANISH ELEVATION A
COURSHIRE 3

PLAN 6
RANGELANDS
COURSHIRE 10

PLAN 1
COTTAGE ELEVATION B
COURSHIRE 5

PLAN 4
SPANISH ELEVATION A
COURSHIRE 3

REAR ELEVATION STREETScape

FULTON HOMES

THE RESERVE AT FULTON RANCH



ELEVATION STREETScape
LINDEROTH ASSOCIATES, INC.

Elevation

ARCHITECTURAL DIVERSITY ELEMENTS ANALYSIS

REQUIRED 9 ELEMENTS (9 of 9):	
1. Provide four-sided architecture on all portions of building visible from arterial street	X
2. De-emphasize garage fronts: garage forward no more than 1/3 of front elevation or not to extend from body of house more than 8 feet or include low courtyard walls	X
3. Front door or courtyard entry to be visible from street	X
4. Single-story or combination one- and two-story homes on all corner lots with 2-story portion encompassing a max. 75% of building footprint & oriented furthest away from the side yard street side	X
5. Enhanced rear elevations along arterial and collector streets and open spaces	X
6. Variety of roofing colors, textures, and shapes	X
7. Durable exterior materials and finishes (brick, masonry, stone, stucco facades)	X
8. Box-on-box (two-story) homes to include a single-story element on rear elevations or second story plan changes or multiple roof designs	X
9. Standard covered rear patios on all floor plans	X
OPTIONAL ELEMENTS (Minimum Required – 7 points):	
1. Provide at least 3 significant architectural style differences with at least 4 distinctive features	X
2. Prohibit the same front elevation on adjoining homes or across the street	X
3. Standard feature stone, brick, or accent façade material on at least one elevation for each floor plan available	X
4. Provide distinctive architectural details on all elevations; covered front porches, covered front entries, door & window details, roof features, etc.	X
5. Provide screening or other accommodation for trash bins, recycling bins, household tools and equipment	X
6. Incorporate standard front porches, defined courtyards, or other defined front yard outdoor living spaces on at least one elevation for each floor plan	No
7. Limit the amount of 2-story homes along arterial & collector streets to no more than every third lot, no 2-story homes backing onto freeways	X
8. Break-up the main ridgelines on roof slopes, whereby at least 25% of the ridgeline includes multiple roof elevations or plane changes	X
9. Prohibit series of roof slopes visible from arterial street, which are parallel with, or perpendicular to the street by limiting no more than 2 adjacent lots having identical rear elevation roof lines.	X
10. Provide a variety of front yard landscape packages installed by builder	No
11. Utilize at least one elevation per floor plan having a portion of the roof being flat on at least one elevation per floor plan	No
12. Provide four-sided architecture throughout subdivision on all portions of the building over 6 ft. high (side and rear yard) walls throughout the subdivision	No
13. Any other architectural feature – e.g. porte-cochere, extended porches, “green” building, etc.	No
TOTAL POINTS (Minimum Required 9 + 7 optional points) = 16	17

architectural diversity

SUBDIVISION DIVERSITY ELEMENTS ANALYSIS

REQUIRED 8 ELEMENTS (Minimum Required - 8 of 8):	
1. Sense of neighborhood arrival	X
2. Distinctive project themes	X
3. Vehicular access to rear yards	No
4. Deeper rear yard setbacks – 30 ft. 2-story	No
5. Irregular shaped retention basins, max. 4:1 slope	X
6. Design and improve retention areas to be useable and accessible	X
7. Provide a minimum 10-foot landscape parkway from r-o-w line to fence in a common area when lots back onto an arterial street and 5 feet when backed to a local or collector	X
8. Provide staggers or other visual breaks in perimeter fence walls adjoining arterial streets	X
OPTIONAL ELEMENTS (Minimum Required – 10 Points):	
1. Provide a curvilinear street system	No
2. Provide a number of cul-de-sacs with a diversity feature	No
3. Provide view fencing along arterial and collector streets	No
4. Provide wider side yards on at least 50% of lots dispersed throughout the subdivision – not less than 20 feet combined width. 15 foot side yard on each side of a 2-story home	No
5. Group wider side yards on adjoining lot or arrange lots in another fashion to add diversity	X
6. Provide different lot widths (at least 5-ft. differential)	No
7. Widen corner lots by at least 10 feet more than interior lots on same block or include a 10-foot wide landscape tract on the street side of the lot	X
8. Orient building envelope on corner lots to be angled rather than parallel with side property lines	No
9. Provide a mix of garage orientations	X
10. Stagger the front yard setback to achieve a range of 6 feet or more; minimum 18 feet from front facing garage to the property line	No
11. Stagger the rear setback lines for all lots backing onto an arterial street by 10 feet or more (no rear yard setback to be less than 20 feet for 1-story and 30 feet for 2-story).	X
12. Provide landscape open spaces visible from arterial street and residential street view with maximum 4:1 slopes along street frontages	X
13. Within a multi-parcel PAD, provide a differential of at least 2,000 sq. ft. between the minimum lot size of two (2) or more parcels	No
14. Credit for another element may be granted within the multi-parcel PAD if the lot size differential results in a parcel with a minimum lot size of 12,000 sq. ft.	No
15. Provide common area lakes by use of reclaimed wastewater. (Counts as two points).	No
16. Provide common are lakes visible from streets or common areas with recreational features. (Counts as two points).	No


 08/01/02

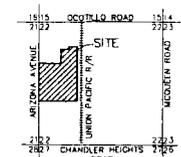
17. Provide a 38% maximum lot coverage on at least 50% of the total lots, 42% maximum lot coverage on at least 25% of lots with the balance of the lots in a subdivision not to exceed 45% lot coverage	No
18. Provide a minimum 30-foot total side yard setback width between homes for at least 50% of the total lots distributed throughout the subdivision	No
19. Locate a continuous enlarged landscape tract at least ½ the total frontage in length along the arterial or collector streets with a depth equal to the average lot depth and no more than 5 lots backing up to the tract. Landscape areas not to include solid walls creating a visual barrier	No
20. Provide a minimum 20-foot landscape parkway along arterial streets, measured from the r-o-w line to the fence	X
21. Any other subdivision feature not listed.	X
TOTAL POINTS (Minimum Required 8 + 10 optional points)	13

submittal diversity
P. 2 of 2

08/01/02

PRELIMINARY PLAT FOR RESERVE AT FULTON RANCH CHANDLER, ARIZONA

A PLAT OF A PORTION OF THE NORTH-WEST QUARTER OF SECTION 22 TOWNSHIP 2 SOUTH, RANGE 5 EAST
OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.



REV.	REVISION	DATE

LEGAL DESCRIPTION:

A PORTION OF THE WEST HALF OF SECTION 22, TOWNSHIP 2 SOUTH, RANGE 5 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE BRASS CAP MARKING THE WEST QUARTER CORNER OF SAID SECTION 22 FROM WHICH THE BRASS CAP IN A HAND-HOLE AT THE INTERSECTION OF CHANDLER HEIGHTS ROAD AND ARIZONA AVENUE, MARKING THE SOUTHWEST CORNER OF SAID SECTION 22, BEARING SOUTH 00 DEGREES 56 MINUTES 14 SECONDS WEST, A DISTANCE OF 2825.80 FEET, SAID LINE BEING THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 22, AND THE BASIS OF BEARING FOR THIS DESCRIPTION;

THENCE NORTH 00 DEGREES 10 MINUTES 03 SECONDS EAST, A DISTANCE OF 872.19 FEET ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION;

THENCE NORTH 89 DEGREES 20 MINUTES 50 SECONDS EAST, A DISTANCE OF 67.02 FEET;

THENCE NORTH 89 DEGREES 21 MINUTES 00 SECONDS EAST, A DISTANCE OF 860.12 FEET ALONG THE SOUTH LINE OF THE PLAT FOR "DESERT PALMS CHURCH" AS RECORDED IN BOOK 803, PAGE 8 M.C.R.

THENCE NORTH 00 DEGREES 10 MINUTES 27 SECONDS EAST, A DISTANCE OF 630.04 FEET ALONG THE EAST LINE OF SAID "DESERT PALMS CHURCH" PLAT TO THE SOUTH LINE OF THE ROADWAY RIGHT-OF-WAY FOR HOME IMPROVEMENT WAY AS RECORDED IN DUIT CLAIM DEED PER DOCKET 2005-0928142 M.C.R.

THENCE NORTH 89 DEGREES 20 MINUTES 50 SECONDS EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 117.60 FEET;

THENCE NORTH 00 DEGREES 06 MINUTES 27 SECONDS EAST ALONG THE EAST LINE OF SAID HOME IMPROVEMENT WAY RIGHT-OF-WAY, A DISTANCE OF 30.00 FEET;

THENCE NORTH 00 DEGREES 08 MINUTES 12 SECONDS EAST ALONG THE EAST LINE OF THE PLAT FOR "SOUTHSHORE TOWN CENTER" AS RECORDED IN BOOK 804, PAGE 22 M.C.R., A DISTANCE OF 132.28 FEET TO THE SOUTH LINE OF THE PLAT FOR "DOLLAR STORAGE" AS RECORDED IN BOOK 972, PAGE 39 M.C.R.

THENCE NORTH 89 DEGREES 27 MINUTES 21 SECONDS EAST ALONG SAID SOUTH LINE OF THE "DOLLAR STORAGE" PLAT, A DISTANCE OF 474.46 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD;

THENCE SOUTH 00 DEGREES 08 MINUTES 12 SECONDS WEST ALONG SAID WESTERLY RAILROAD RIGHT-OF-WAY, A DISTANCE OF 1921.71 FEET;

THENCE SOUTH 88 DEGREES 15 MINUTES 00 SECONDS WEST, A DISTANCE OF 1327.47 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 22;

THENCE NORTH 00 DEGREES 56 MINUTES 14 SECONDS EAST ALONG SAID WEST LINE, A DISTANCE OF 460.34 FEET TO THE WEST QUARTER CORNER OF SAID SECTION 22 AND THE POINT OF BEGINNING.

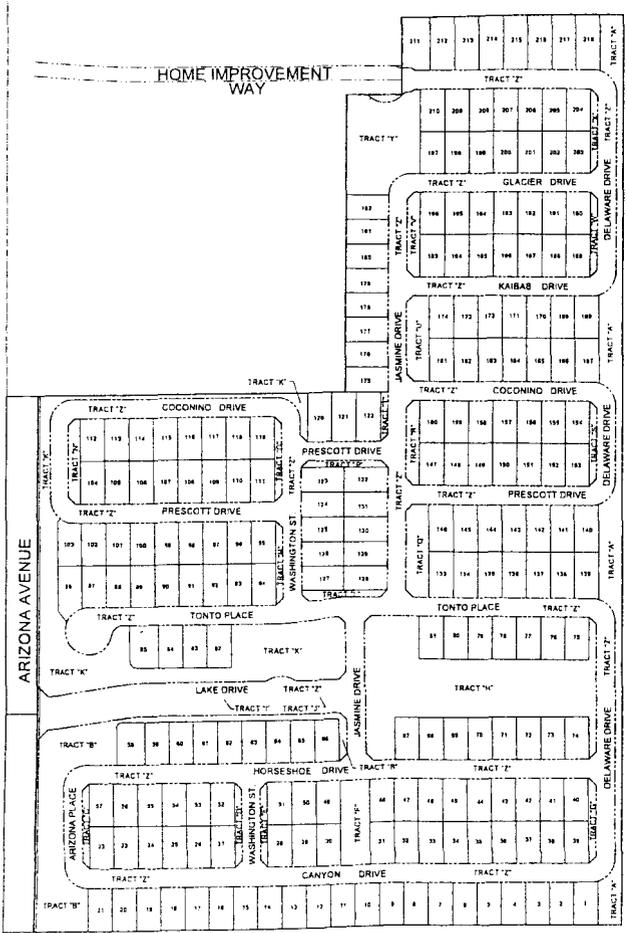
CITY NOTES:

THE IMPROVEMENTS SHOWN ON THIS PLAT WILL NOT BE FULLY APPROVED BY THE CITY AND THE CERTIFICATE OF OCCUPANCY OF ACCEPTANCE WILL NOT BE ISSUED UNTIL THE OVERHEAD UTILITY LINE UNDERGROUNDING REQUIREMENT HAS BEEN SATISFIED.

THIS SUBDIVISION SHALL COMPLY WITH THE RESIDENTIAL DEVELOPMENT STANDARDS DATED MAY 23, 2002.

THE FINAL PLAT FOR THIS SUBDIVISION WILL NOT BE APPROVED OR RECORDED UNTIL A RECLAIMED WATER USE AGREEMENT IS EXECUTED BY THE DEVELOPER AND APPROVED BY THE CITY.

THE IMPROVEMENTS SHOWN ON THIS SET OF PLANS WILL NOT BE FULLY APPROVED BY THE CITY AND THE CERTIFICATE OF OCCUPANCY WILL NOT BE ISSUED UNTIL THE IRRIGATION FACILITY UNDERGROUNDING REQUIREMENT HAS BEEN SATISFIED.



LEGEND

- PROPOSED WATER LINE & VALVE
- PROPOSED FIRE HYDRANT
- PROPOSED SEWER LINE & MANHOLE
- PROPOSED SEWER CLEANOUT
- PROPOSED RETENTION BASIN
- PROPOSED DRAINAGE FLOW ARROW
- PROPOSED STORM DRAIN & HEADWALL
- EXISTING CONTOUR LINE
- EXISTING GROUND ELEVATION
- PROPOSED MODEL HOME

CIVIL ENGINEER

VANTAGE RESOURCES, LLC
3010 SOUTH PRIEST DRIVE
SUITE 102
TEMPE, AZ 85282
PHONE: 480.629.8830
CONTACT: SHERRI KOSHOL

DEVELOPER

FULTON HOMES
9140 SOUTH KYRENE ROAD
SUITE 202
TEMPE, AZ 85284
PHONE: 480.753.6789
CONTACT: NORM NICHOLS

SHEET INDEX

- PP01 COVER SHEET
- PP02 TYPICAL LOT DETAILS
- PP03 AREA, CURVE & LINE TABLES
- PP04 PRELIMINARY PLAT
- PP04 PRELIMINARY PLAT

BENCHMARK

CHUCK #464 - SECTION 15, T2S, R5E, 3" BRASS CAP IN CONCRETE, 70' NORTH, 70' EAST OF INTERSECTION OF BASHA ROAD AND OCOTILLO ROAD, 4' NORTH OF BACK OF SIDEWALK
ELEVATION = 1204.51
(NORTHING, 817729.065, EASTING, 717671.277)

BASIS OF BEARING

THE BASIS OF BEARING IS THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.
SAID BEARING BEING NORTH 00 DEGREES 56 MINUTES 14 SECONDS EAST, PER BOOK 759 OF MAPS, PAGE 09, M.C.R.

**PARCEL AREA -
GROSS: 44.66 ACRES
NET: 42.92 ACRES**

EXISTING ZONING - PAD

TOTAL NO. OF LOTS = 218

KEY MAP
M.C.R.

RESERVE AT FULTON RANCH
ARIZONA AVENUE & LAKE DRIVE
CHANDLER, ARIZONA

PRELIMINARY PLAT

3010 SOUTH PRIEST DR, STE 102
TEMPE, ARIZONA 85282
PH: (480) 629-8830

CIVIL ENGINEER
VANTAGE RESOURCES, LLC
CONSTRUCTION MANAGEMENT - TEMPE

VANTAGE
RESOURCES, LLC



PROJ. NO.	2070 00
SCALE	N.T.S.
DRAWN BY	JAS
DATE	05.11.11

DWG. NO.
PP01

Pre-Plat

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Lot #	Area								
1	4,800.00	11	4,800.00	21	4,800.00	31	4,800.00	41	4,800.00
2	4,800.00	12	4,800.00	22	4,800.00	32	4,800.00	42	4,800.00
3	4,800.00	13	4,800.00	23	4,800.00	33	4,800.00	43	4,800.00
4	4,800.00	14	4,800.00	24	4,800.00	34	4,800.00	44	4,800.00
5	4,800.00	15	4,800.00	25	4,800.00	35	4,800.00	45	4,800.00
6	4,800.00	16	4,800.00	26	4,800.00	36	4,800.00	46	4,800.00
7	4,800.00	17	4,800.00	27	4,800.00	37	4,800.00	47	4,800.00
8	4,800.00	18	4,800.00	28	4,800.00	38	4,800.00	48	4,800.00
9	4,800.00	19	4,800.00	29	4,800.00	39	4,800.00	49	4,800.00
10	4,800.00	20	4,800.00	30	4,800.00	40	4,800.00	50	4,800.00

Curve #	Length	Radius	Area	Length	Radius	Area
C1	11.22	15.00	44.011	11.22	15.00	44.011
C2	18.24	15.00	89.214	18.24	15.00	89.214
C3	11.19	15.00	44.011	11.19	15.00	44.011
C4	6.36	10.00	15.373	6.36	10.00	15.373
C5	5.81	7.50	15.373	5.81	7.50	15.373
C6	8.86	10.00	15.373	8.86	10.00	15.373
C7	5.07	7.50	15.373	5.07	7.50	15.373
C8	15.23	10.00	44.011	15.23	10.00	44.011
C9	15.23	10.00	44.011	15.23	10.00	44.011
C10	15.23	10.00	44.011	15.23	10.00	44.011

Tract #	Area	Description of Use
A	52.468	LANDSCAPING, OPEN SPACE, RETENTION
B	49.415	LANDSCAPING, OPEN SPACE, RETENTION, SWEEP EASEMENT
C	2.475	LANDSCAPING, OPEN SPACE
D	2.475	LANDSCAPING, OPEN SPACE
E	2.475	LANDSCAPING, OPEN SPACE
F	11.160	LANDSCAPING, OPEN SPACE, RETENTION
G	2.717	LANDSCAPING, OPEN SPACE
H	78.694	LANDSCAPING, OPEN SPACE, RETENTION, AMENITIES
I	4.486	LANDSCAPING, OPEN SPACE, MEDIAN
J	1.087	LANDSCAPING, OPEN SPACE, RETENTION, AMENITIES
K	83.514	LANDSCAPING, OPEN SPACE, RETENTION, AMENITIES
L	2.995	LANDSCAPING, OPEN SPACE
M	5.992	LANDSCAPING, OPEN SPACE
N	4.255	LANDSCAPING, OPEN SPACE
O	2.495	LANDSCAPING, OPEN SPACE
P	2.556	LANDSCAPING, OPEN SPACE
Q	9.509	LANDSCAPING, OPEN SPACE, RETENTION
R	4.982	LANDSCAPING, OPEN SPACE
S	2.475	LANDSCAPING, OPEN SPACE
T	1.472	LANDSCAPING, OPEN SPACE
U	9.533	LANDSCAPING, OPEN SPACE
V	4.864	LANDSCAPING, OPEN SPACE
W	2.475	LANDSCAPING, OPEN SPACE
X	2.475	LANDSCAPING, OPEN SPACE
Y	30.771	PRIVATE STREETS, PUBLIC UTILITIES, WATER, SEWER, INGRESS, EGRESS
Z	453.690	

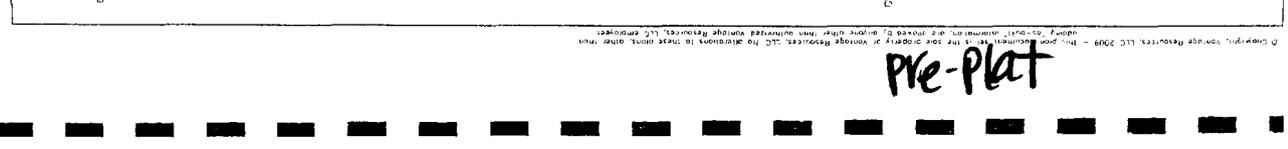
Lot #	Area						
1	4,800.00	11	4,800.00	21	4,800.00	31	4,800.00
2	4,800.00	12	4,800.00	22	4,800.00	32	4,800.00
3	4,800.00	13	4,800.00	23	4,800.00	33	4,800.00
4	4,800.00	14	4,800.00	24	4,800.00	34	4,800.00
5	4,800.00	15	4,800.00	25	4,800.00	35	4,800.00
6	4,800.00	16	4,800.00	26	4,800.00	36	4,800.00
7	4,800.00	17	4,800.00	27	4,800.00	37	4,800.00
8	4,800.00	18	4,800.00	28	4,800.00	38	4,800.00
9	4,800.00	19	4,800.00	29	4,800.00	39	4,800.00
10	4,800.00	20	4,800.00	30	4,800.00	40	4,800.00

Lot #	Area						
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5	4,800.00	15	4,800.00	25	4,800.00	35	4,800.00
6	4,800.00	16	4,800.00	26	4,800.00	36	4,800.00
7	4,800.00	17	4,800.00	27	4,800.00	37	4,800.00
8	4,800.00	18	4,800.00	28	4,800.00	38	4,800.00
9	4,800.00	19	4,800.00	29	4,800.00	39	4,800.00
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Lot #	Area						
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4	4,800.00	14	4,800.00	24	4,800.00	34	4,800.00
5	4,800.00	15	4,800.00	25	4,800.00	35	4,800.00
6	4,800.00	16	4,800.00	26	4,800.00	36	4,800.00
7	4,800.00	17	4,800.00	27	4,800.00	37	4,800.00
8	4,800.00	18	4,800.00	28	4,800.00	38	4,800.00
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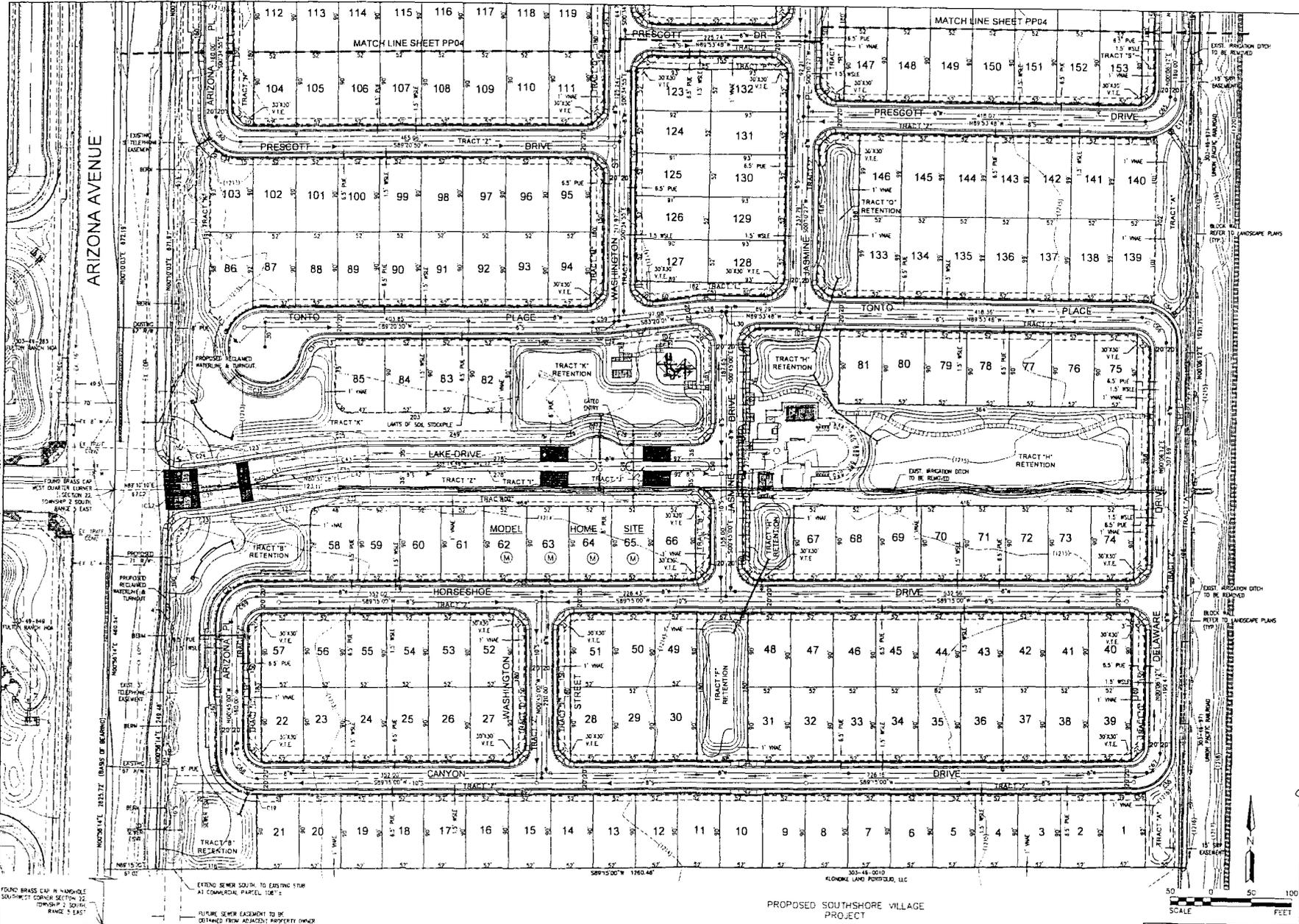
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4	4,800.00	14	4,800.00	24	4,800.00	34	4,800.00
5	4,800.00	15	4,800.00	25	4,800.00	35	4,800.00
6	4,800.00	16	4,800.00	26	4,800.00	36	4,800.00
7	4,800.00	17	4,800.00	27	4,800.00	37	4,800.00
8	4,800.00	18	4,800.00	28	4,800.00	38	4,800.00
9	4,800.00	19	4,800.00	29	4,800.00	39	4,800.00
10	4,800.00	20	4,800.00	30	4,800.00	40	4,800.00



Pre-Plat

Pre-plot

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PROJECT NO. 2070 01
 SCALE 1" = 50'
 DRAWN JAC
 DATE 05.11.17
 DATE
 REVISION
 REV
 RESERVE AT FULTON RANCH
 ARIZONA AVENUE & LAKE DRIVE
 CHANDLER, ARIZONA
 PRELIMINARY PLAN
 VANTAGE RESOURCES, LLC
 3010 SOUTH PRESTON DRIVE, SUITE 105
 TULSA, ARIZONA 85127
 PH (480) 678-4630
 WWW.VANTAGERESOURCES.COM
 ONE CONSTRUCTION SERVICES CENTER, SUITE 201
 CHANDLER, ARIZONA 85226

PROPOSED SOUTHWEST VILLAGE PROJECT

CGC 10066 PPT-000

Mary Roberson

Subject: FW: Fulton Ranch

From: Joe Cattaneo [mailto:joe@aandcproperties.com]

Sent: Wednesday, May 11, 2011 3:35 PM

To: Ed Bull

Cc: timgrant@simaz.com

Subject: Fulton Ranch

Ed,

On behalf of Southshore Town Center Investors, LLC, the owner of the Home Depot shopping center project located at the SEC Arizona Avenue and Ocotillo Road in Chandler, we fully support The Reserve at Fulton Ranch project and were interested about the prospective timing if the development is approved. We obviously view this development as a bonus for the retail businesses and the area in general. Please let us know if there is anything that we can do to assist in the process.

Sincerely,
Joe Cattaneo

Joe Cattaneo
A & C Properties, Inc.
4530 East Shea Blvd. #100
Phoenix, AZ 85028
Tel: (602) 494-7800
Fax: (602) 494-7898
Email: joe@aandcproperties.com

Mary Roberson

Subject: RE: Fulton Ranch

From: Steve Backman [mailto:SBackman@reddevelopment.com]

Sent: Thursday, May 12, 2011 10:05 AM

To: Ed Bull

Subject: Fulton Ranch

Ed,

On behalf of RED Development, we are in full support of Fulton Home's plans to develop Fulton Ranch II at Arizona Avenue and Lake Drive in Chandler, Az. We believe the addition of a high quality residential community will enhance the success of the surrounding commercial uses and provide positive growth in the community. Please let us know if we can assist in any way.

Sincerely,
Steve Backman



May 19, 2011

Mr. Ed Bull
Burch & Cracchiolo, P.A.
702 E. Osborn Road, Suite 200
Phoenix, Arizona 85014

Re: Fulton Ranch II

Dear Ed:

Champion Marketplace LLLP and Champion Marketplace Commons LLLP own Marketplace at Fulton Ranch, which is located at the northwest corner of Arizona Avenue and Chandler Heights Road. We fully support Fulton Homes' development of 218 single-family homes on the "Fulton Ranch II" property at Arizona Avenue and Lake Drive. Fulton Homes is an excellent homebuilder, and expanding Fulton Ranch II with 218 new homes on this vacant mid-block property will be good for the area and City in general and good for retail businesses.

We encourage the City's approval of Fulton Homes' applications, and wish Fulton Homes success with their Fulton Ranch II development.

Sincerely,

A handwritten signature in black ink, appearing to read "Ricky Lyons". The signature is written in a cursive, somewhat stylized font.

Ricky Lyons
Manager of Champion Developments, LLC
General Partner

THE SHOPS AT PECOS RANCH, LLC



May 20, 2011

Re: South Shore/Fulton Ranch II Rezone Request

To Whom It May Concern:

We would like to support the proposed Fulton Ranch II project on the South Shore site.

We purchased South Shore in August 2004 with the intent to develop one of the best mixed use developments in the southwest. Since that time, we exhausted every avenue available to find financing for the project. In spite of our best efforts, including years of work, tremendous financial outlay, an outstanding plan, and our close work with the City of Chandler and Chris Mackey, we could not overcome the market conditions that have existed over the past four years. Had we any hope of success in the foreseeable future, we would not have sold the property.

When we decided to sell the South Shore property, we preferred to sell to Fulton Homes. Their Fulton Ranch is an outstanding community, and raises the bar for development in the Chandler area. The Fulton Homes team knows the Chandler market, and delivers a quality product in a professional manner. Their idea to extend Fulton Ranch across South Arizona Avenue is a perfect use for the South Shore property.

We wholeheartedly support Fulton Homes' application for Fulton Ranch II, because we believe it is the best use for this site. Fulton Ranch II would develop the currently vacant parcel, and beautify Arizona Avenue by landscaping the site's frontage. With the extension of the attractive Fulton Ranch design elements to the east side of Arizona Avenue, there will be a continuity of design. There will be additional diversity of sizes and prices of high quality homes. These additional rooftops will in turn help support the area's existing retail.

We believe that the plan Fulton Homes is proposing for Fulton Ranch II is an excellent fit for Chandler, the neighborhood, and future residents. We will be excited to see another successful Fulton Ranch project in Chandler.

Sincerely,

A handwritten signature in black ink, appearing to read "Ron Volk".

Ron Volk

The Shops at Pecos Ranch

RESOLUTION NO. 4521

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, ADOPTING AN AMENDMENT TO THE "SOUTHSHORE AREA PLAN" FROM MIXED-USE FOR OFFICE, COMMERCIAL RETAIL/RESTAURANT, HOTEL, AND MULTI-FAMILY RESIDENTIAL TO SINGLE-FAMILY RESIDENTIAL MEDIUM DENSITY ON PROPERTY LOCATED APPROXIMATELY ONE-HALF MILE SOUTH OF THE SOUTHEAST CORNER OF OCOTILLO ROAD AND ARIZONA AVENUE.

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 located approximately one-half mile south of the southeast corner of Ocotillo road and Arizona avenue; and;

WHEREAS, the Land Use and Neighborhood Planning Elements of the Chandler General Plan adopted by the City Council on June 26, 2008 encourage the preparation of neighborhood plans (Area Plan) that address distinct characteristics and support unique land use planning for each area; and

WHEREAS, an existing area plan, the "Southshore Area Plan" has been adopted for the area bounded by Arizona Avenue, the Consolidated Canal, Ocotillo Road, and Chandler Heights Road;

WHEREAS, the applicant prepared this amendment to the existing "Southshore Area Plan"; and

WHEREAS, such an amendment, covering a portion of the adopted Area Plan including a map 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 exhibit, an Amendment to the Southshore Area Plan, as presented to the Planning and Zoning Commission and approved at their public hearing held on June 1, 2011, 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 _____, 2011.

ATTEST:

CITY CLERK

MAYOR

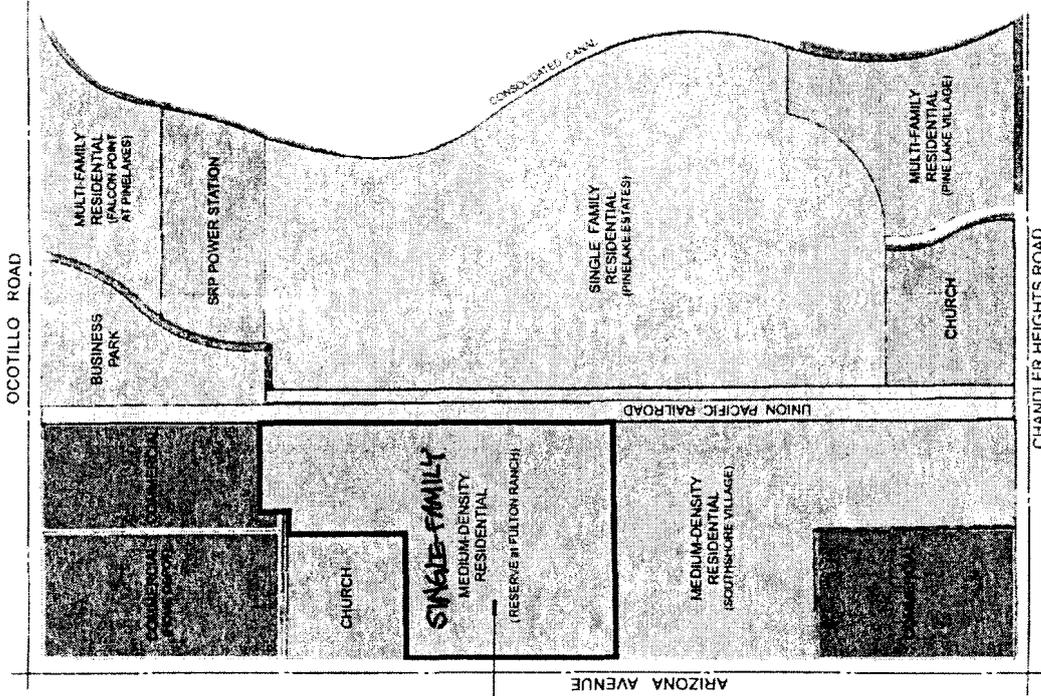
CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Resolution No. 4521 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 _____, 2011, and that a quorum was present thereat.

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY GAB



Fulton Ranch II
 Reserve at Fulton Ranch
 RESIDENTIAL 44 PER ADMS



Area Plan



SOUTHSHORE AREA PLAN AMENDMENT

APL-11-0002

FULTON RANCH II

RESERVE AT FULTON RANCH

Fulton Homes

ORDINANCE NO. 4313

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM PAD TO PAD (DVR11-0008 FULTON RANCH II) 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 to PAD, subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Fulton Ranch II – Reserve at Fulton Ranch", kept on file in the City of Chandler Planning Services Division, in File No. APL11-0002/DVR11-0008, except as modified by condition herein.
2. 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.

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. 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.
5. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual # 4).
6. 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.
7. The developer shall be required to install landscaping in the arterial street median(s) 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.
8. Approval by the Director of Transportation & 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.
9. The covenants, conditions and restrictions (CC & R's) to be filed and recorded with the subdivision shall mandate the installation of front yard landscaping within 180 days from the date of occupancy with the homeowners' association responsible for monitoring and enforcement of this requirement.
10. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
11. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or association.
12. 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.

13. 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 FULTON RANCH II – RESERVE AT FULTON RANCH development shall use treated effluent to maintain open space, common areas, and landscape tracts.

14. Homebuilder will advise all prospective homebuyers of the information on future City facilities contained in the City Facilities map found at www.chandleraz.gov/infomap, or available from the City's Communication and Public Affairs Department. The homebuilder shall post a copy of the City Facilities map in the sales office showing the location of future and existing City facilities.
15. No more than two identical side-by-side roof slopes should be constructed along arterial or collector streets or public open space.
16. All homes built on corner lots within the residential subdivision shall be single-story or a combination of one- and two-story with the one-story portion on the street side.

CITY ATTORNEY *GAB*

PUBLISHED:

LEGAL DESCRIPTION
EXHIBIT ONE

Attachment 'A'
Ordinance no. 4313

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MARICOPA, STATE OF ARIZONA AND IS DESCRIBED AS FOLLOWS:

PARCEL 1:

A PORTION OF THE WEST HALF OF SECTION 22, 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 BRASS CAP IN A HANDHOLE MARKING THE WEST QUARTER CORNER OF SAID SECTION 22 FROM WHICH THE BRASS CAP IN A HANDHOLE AT THE INTERSECTION OF OCOTILLO ROAD AND ARIZONA AVENUE, MARKING THE NORTHWEST CORNER OF SAID SECTION 22, BEARS NORTH 00 DEGREES 00 MINUTES 12 SECONDS EAST, A DISTANCE OF 2666.09 FEET, SAID LINE BEING THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 22, AND THE BASIS OF BEARING FOR THIS DESCRIPTION;

THENCE NORTH 00 DEGREES 00 MINUTES 12 SECONDS EAST, A DISTANCE OF 673.01 FEET ALONG SAID WEST LINE;

THENCE NORTH 89 DEGREES 10 MINUTES 35 SECONDS EAST, A DISTANCE OF 727.05 FEET ALONG A LINE WHICH IS PARALLEL WITH THE NORTH LINE OF THE SOUTH HALF OF SAID NORTHWEST QUARTER;

THENCE NORTH 00 DEGREES 00 MINUTES 12 SECONDS EAST, A DISTANCE OF 660.04 FEET ALONG A LINE PARALLEL TO THE WEST LINE OF SAID NORTHWEST QUARTER, TO THE NORTH LINE OF THE SOUTH HALF OF SAID NORTHWEST QUARTER AND THE POINT OF BEGINNING;

THENCE NORTH 89 DEGREES 10 MINUTES 35 SECONDS EAST ALONG SAID NORTH LINE, A DISTANCE OF 117.56 FEET;

THENCE NORTH 00 DEGREES 04 MINUTES 03 SECONDS WEST ALONG A LINE WHICH IS PARALLEL WITH THE WESTERLY LINE OF THE UNION PACIFIC RAILROAD, A DISTANCE OF 131.38 FEET;

THENCE NORTH 89 DEGREES 17 MINUTES 18 SECONDS EAST ALONG A LINE THAT IS PARALLEL WITH THE NORTH LINE OF THE SAID NORTHWEST QUARTER, A DISTANCE OF 474.46 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF SAID UNION PACIFIC RAILROAD;

THENCE SOUTH 00 DEGREES 04 MINUTES 03 SECONDS EAST ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1921.71 FEET;

THENCE SOUTH 89 DEGREES 04 MINUTES 45 SECONDS WEST, A DISTANCE OF 259.66 FEET;

THENCE NORTH 00 DEGREES 14 MINUTES 42 SECONDS WEST, A DISTANCE OF 460.73 FEET;

THENCE NORTH 44 DEGREES 21 MINUTES 15 SECONDS WEST, A DISTANCE OF 30.00 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 60.00 FEET AND A CHORD BEARING OF NORTH 20 DEGREES 38 MINUTES 54 SECONDS EAST;

THENCE ALONG SAID CURVE TO THE LEFT THROUGH A DELTA ANGLE OF 49 DEGREES 59 MINUTES 43 SECONDS, A DISTANCE OF 52.35 FEET;

THENCE NORTH 04 DEGREES 20 MINUTES 58 SECONDS WEST, A DISTANCE OF 115.37 FEET TO A CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 294.46 FEET;

THENCE ALONG SAID CURVE TO THE LEFT THROUGH A DELTA ANGLE OF 15 DEGREES 26 MINUTES 38 SECONDS, A DISTANCE OF 79.37 FEET;

THENCE NORTH 23 DEGREES 32 MINUTES 07 SECONDS WEST, A DISTANCE OF 125.40 FEET TO A CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 266.67 FEET;

THENCE ALONG SAID CURVE TO THE RIGHT THROUGH A DELTA ANGLE OF 21 DEGREES 29 MINUTES 10 SECONDS, A DISTANCE OF 100.00 FEET;

THENCE NORTH 02 DEGREES 02 MINUTES 57 SECONDS WEST, A DISTANCE OF 100.00 FEET TO A CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 266.67 FEET;

THENCE ALONG SAID CURVE TO THE RIGHT THROUGH A DELTA ANGLE OF 21 DEGREES 29 MINUTES 09 SECONDS, A DISTANCE OF 100 FEET;

THENCE NORTH 19 DEGREES 26 MINUTES 12 SECONDS EAST, A DISTANCE OF 125.30 FEET TO A CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 400.00 FEET;

THENCE ALONG SAID CURVE TO THE LEFT THROUGH A DELTA ANGLE OF 21 DEGREES 29 MINUTES 09 SECONDS, A DISTANCE OF 150.00 FEET;

THENCE NORTH 02 DEGREES 02 MINUTES 57 SECONDS WEST, A DISTANCE OF 100.00 FEET TO A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 300.00 FEET;

THENCE ALONG SAID CURVE THROUGH A DELTA ANGLE OF 88 DEGREES 46 MINUTES 28 SECONDS, A DISTANCE OF 464.82 FEET TO THE POINT OF BEGINNING.

EXCEPT ANY PORTION SET FORTH IN DOCUMENT NO 2005-928142; AND

EXCEPT ANY PORTION LYING WITHIN THE FOLLOWING DESCRIBED PROPERTY;

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 22;

THENCE SOUTH 00 DEGREES 59 MINUTES 04 SECONDS WEST, ALONG THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1313.78 FEET;

THENCE SOUTHEASTERLY 67.30 FEET ALONG A NONTANGENTIAL CURVE CONCAVE TO THE NORTH, CENTRAL ANGLE 01 DEGREES 27 MINUTES 17 SECONDS, RADIUS 2650.00 FEET AND CHORD BEARING SOUTH 83 DEGREES 39 MINUTES 02 SECONDS EAST TO A LINE WHICH IS PARALLEL WITH AND 67 FEET EASTERLY OF, AS MEASURED AT RIGHT ANGLES FROM THE WEST LINE OF SAID NORTHWEST QUARTER;

THENCE CONTINUING SOUTHEASTERLY 252.74 FEET ALONG SAID NONTANGENTIAL CURVE CONCAVE TO THE NORTH, CENTRAL ANGLE 05 DEGREES 27 MINUTES 49 SECONDS, RADIUS 2650.50 FEET AND CHORD BEARING SOUTH 87 DEGREES 06 MINUTES 35 SECONDS EAST;

THENCE SOUTH 89 DEGREES 50 MINUTES 29 SECONDS EAST 407.51 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 89 DEGREES 50 MINUTES 29 SECONDS EAST 117.59 FEET;

THENCE SOUTH 00 DEGREES 55 MINUTES 08 SECONDS WEST 30.00 FEET;

THENCE NORTH 89 DEGREES 50 MINUTES 29 SECONDS WEST 117.62 FEET;

THENCE NORTH 00 DEGREES 59 MINUTES 04 SECONDS EAST 30.00 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

A PORTION OF THE WEST HALF OF SECTION 22, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE BRASS CAP IN A HANDHOLE MARKING THE WEST QUARTER CORNER OF SAID SECTION 22 FROM WHICH THE BRASS CAP IN A HANDHOLE AT THE INTERSECTION OF OCOTILLO ROAD AND ARIZONA AVENUE, MARKING THE NORTHWEST CORNER OF SAID SECTION 22, BEARS NORTH 00 DEGREES 00 MINUTES 12 SECONDS EAST, A DISTANCE OF 2666.09 FEET, SAID LINE BEING THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 22, AND THE BASIS OF BEARING FOR THIS DESCRIPTION;

THENCE NORTH 00 DEGREES 00 MINUTES 12 SECONDS EAST ALONG SAID WEST LINE OF THE NORTHWEST QUARTER OF SECTION 22, A DISTANCE OF 673.01 FEET;

THENCE NORTH 89 DEGREES 10 MINUTES 35 SECONDS EAST, A DISTANCE OF 727.05 FEET;

THENCE NORTH 00 DEGREES 00 MINUTES 12 SECONDS EAST, A DISTANCE OF 660.04 FEET TO A POINT ON A NON TANGENT CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 300.00 FEET AND A CHORD BEARING OF SOUTH 46 DEGREES 26 MINUTES 11 SECONDS EAST;

THENCE ALONG SAID CURVE TO THE RIGHT, THROUGH A DELTA ANGLE OF 88 DEGREES 46 MINUTES 28 SECONDS, A DISTANCE OF 464.82 FEET;

THENCE SOUTH 02 DEGREES 02 MINUTES 57 SECONDS EAST, A DISTANCE OF 100.00 FEET TO A POINT ON A CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 400.00 FEET;

THENCE ALONG SAID CURVE TO THE RIGHT THROUGH A DELTA ANGLE OF 21 DEGREES 29 MINUTES 09 SECONDS, A DISTANCE OF 150.00 FEET;

THENCE SOUTH 19 DEGREES 26 MINUTES 12 SECONDS WEST, A DISTANCE OF 125.30 FEET TO A CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 266.67 FEET;

THENCE ALONG SAID CURVE TO THE LEFT THROUGH A DELTA ANGLE OF 21 DEGREES 29 MINUTES 09 SECONDS, A DISTANCE OF 100.00 FEET;

THENCE SOUTH 02 DEGREES 02 MINUTES 57 SECONDS EAST, A DISTANCE OF 100 FEET TO A POINT ON A CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 266.67 FEET;

THENCE ALONG SAID CURVE TO THE LEFT THROUGH A DELTA ANGLE OF 21 DEGREES 29 MINUTES 09 SECONDS, A DISTANCE OF 100.00 FEET;

THENCE SOUTH 23 DEGREES 32 MINUTES 07 SECONDS EAST, A DISTANCE OF 125.40 FEET TO A POINT ON A CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 294.46 FEET;

THENCE ALONG SAID CURVE TO THE LEFT THROUGH A DELTA ANGLE OF 15 DEGREES 26 MINUTES 38 SECONDS, A DISTANCE OF 79.37 FEET;

THENCE SOUTH 04 DEGREES 20 MINUTES 08 SECONDS EAST, A DISTANCE OF 115.37 FEET TO A POINT ON A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 60.00 FEET;

THENCE ALONG SAID CURVE TO THE RIGHT THROUGH A DELTA ANGLE OF 49 DEGREES 59 MINUTES 43 SECONDS, A DISTANCE OF 52.35 FEET;

THENCE SOUTH 44 DEGREES 21 MINUTES 15 SECONDS EAST, A DISTANCE OF 30.00 FEET TO A POINT ON THE EAST-WEST MID-SECTION LINE OF SECTION 22;

THENCE SOUTH 89 DEGREES 03 MINUTES 51 SECONDS WEST ALONG SAID EAST-WEST MID-SECTION LINE OF SECTION 22, A DISTANCE OF 1059.69 FEET TO THE POINT OF BEGINNING;

EXCEPT ANY PORTION SET FORTH IN DOCUMENT NO 2005-928142; AND

EXCEPT ANY PORTION LYING WITHIN THE FOLLOWING DESCRIBED PROPERTY;

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 22;

THENCE SOUTH 00 DEGREES 59 MINUTES 04 SECONDS WEST, ALONG THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1313.78 FEET;

THENCE SOUTHEASTERLY 67.30 FEET ALONG A NONTANGENTIAL CURVE CONCAVE TO THE NORTH, CENTRAL ANGLE 01 DEGREES 27 MINUTES 17 SECONDS, RADIUS 2650.00 FEET AND CHORD BEARING SOUTH 83 DEGREES 39 MINUTES 02 SECONDS EAST TO A LINE WHICH IS PARALLEL WITH AND 67 FEET EASTERLY OF, AS MEASURED AT RIGHT ANGLES FROM THE WEST LINE OF SAID NORTHWEST QUARTER;

THENCE CONTINUING SOUTHEASTERLY 252.74 FEET ALONG SAID NONTANGENTIAL CURVE CONCAVE TO THE NORTH, CENTRAL ANGLE 05 DEGREES 27 MINUTES 49 SECONDS, RADIUS 2650.50 FEET AND CHORD BEARING SOUTH 87 DEGREES 06 MINUTES 35 SECONDS EAST;

THENCE SOUTH 89 DEGREES 50 MINUTES 29 SECONDS EAST 407.51 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 89 DEGREES 50 MINUTES 29 SECONDS EAST 117.59 FEET;

THENCE SOUTH 00 DEGREES 55 MINUTES 08 SECONDS WEST 30.00 FEET;

THENCE NORTH 89 DEGREES 50 MINUTES 29 SECONDS WEST 117.62 FEET;

THENCE NORTH 00 DEGREES 59 MINUTES 04 SECONDS EAST 30.00 FEET TO THE POINT OF BEGINNING.

PARCEL 3:

A PORTION OF THE WEST HALF OF SECTION 22, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE BRASS CAP IN A HANDHOLE MARKING THE WEST QUARTER CORNER OF SAID SECTION 22 FROM WHICH THE BRASS CAP IN A HANDHOLE AT THE INTERSECTION OF OCOTILLO ROAD AND ARIZONA AVENUE, MARKING THE NORTHWEST CORNER OF SAID SECTION 22, BEARS NORTH 00 DEGREES 00 MINUTES 12 SECONDS EAST, A DISTANCE OF 2666.09 FEET, SAID LINE BEING THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 22, AND THE BASIS OF BEARING FOR THIS DESCRIPTION;

THENCE NORTH 89 DEGREES 03 MINUTES 51 SECONDS EAST ALONG THE EAST-WEST MID-SECTION LINE OF SAID SECTION 22, A DISTANCE OF 1059.69 FEET;

THENCE SOUTH 00 DEGREES 14 MINUTES 42 SECONDS EAST, A DISTANCE OF 460.73 FEET;

THENCE SOUTH 89 DEGREES 04 MINUTES 45 SECONDS WEST, A DISTANCE OF 1067.81 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 22;

THENCE NORTH 00 DEGREES 46 MINUTES 00 SECONDS EAST ALONG SAID WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 22, A DISTANCE OF 460.22 FEET TO THE POINT OF BEGINNING.