

#8

DEC 09 2013

ORDINANCE NO. 4511

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM PLANNED AREA DEVELOPMENT (PAD) FOR LUMBER ASSEMBLY, STORAGE, AND DISTRIBUTION TO PAD FOR OFFICE/WAREHOUSE/INDUSTRIAL TYPE USES (DVR13-0040 QUEEN CREEK COMMERCE CENTER) 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 Attached Exhibit 'A'

Said parcel is hereby rezoned from PAD for lumber assembly, storage, and distribution to PAD for office/warehouse/industrial type uses, subject to the following conditions:

1. Development shall be in substantial conformance with the attached Development Booklet, entitled "QUEEN CREEK COMMERCE CENTER", kept on file in the City of Chandler Planning Services Division, in File No. DVR13-0040, except as modified by condition herein. The Development Booklet provides that building layout, architecture and design for future development of individual parcels, and related onsite site layout related to such

future development of individual parcels, will be reviewed and approved administratively.

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. Undergrounding of all overhead electric (less than 69kv), communication, and television lines and any open irrigation ditches or canals located on the site or within adjacent right-of-ways and/or easements. Any 69kv or larger electric lines that must stay overhead shall be located in accordance with the City's adopted design and engineering standards. The aboveground utility poles, boxes, cabinets, or similar appurtenances shall be located outside of the ultimate right-of-way and within a specific utility easement.
4. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals or as otherwise approved in a development agreement.
5. Landscaping shall be in compliance with current Commercial Design Standards.
6. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
7. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
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. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.

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 of the City of Chandler, Maricopa County, Arizona, this ____ day of _____, 2013.

ATTEST:

CITY CLERK

MAYOR

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona this ____ day of _____, 2013.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 4511 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the ____ day of _____, 2013, and that a quorum was present thereat.

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY *LAB*

PUBLISHED:

EXHIBIT 'A'

LEGAL DESCRIPTION

Southwest Corner of Hamilton Street (alignment) & Queen Creek Road

THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 15,
TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND
MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT THE ROAD AND RAILROAD RIGHT-OF-WAYS; AND ALSO

EXCEPT THE NORTH 33.00 FEET; AND ALSO

EXCEPT THAT PORTION DEEDED TO MARICOPA COUNTY, A POLITICAL
SUBDIVISION OF THE STATE OF ARIZONA RECORDED AS 2004-1311881 OF
OFFICIAL RECORDS FURTHER DESCRIBED AS:

PARCEL NO. 1

THE SOUTH 40 FEET OF THE NORTH 73 FEET OF SAID NORTHEAST QUARTER
OF THE NORTHWEST QUARTER OF SECTION 15.

EXCEPT THAT PORTION CONVEYED TO THE RAILROAD BY DEED BOOK 191,
PAGE 157, MARICOPA COUNTY RECORDS.

PARCEL NO. 2

THE SOUTH 15 FEET OF THE NORTH 88 FEET OF THE EAST 35 FEET OF SAID
NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 15.