#3

MAY 8 2014

ORDINANCE NO. 4534

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 COMMERCIAL OFFIC/RETAIL TO PAD FOR ATTACHED SINGLE-FAMILY RESIDENTIAL IN CASE DVR13-0043 (SIENA AT OCOTILLO) 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 for commercial office/retail to PAD for attached single-family residential, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "SIENA AT OCOTILLO", kept on file in the City of Chandler Planning Division, in File No. DVR13-0043, except as modified by condition herein.

2. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or homeowners' association.

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. 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.

8. Approval by the Planning Administrator 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.

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 _____, 2014.

ATTEST:

_____ _____

CITY CLERK MAYOR

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona this _____ day of _____, 2014.

ATTEST:

_____ _____

CITY CLERK MAYOR

CERTIFICATION

I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 4534 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the _____ day of _____, 2014, and that a quorum was present thereat.

_____

CITY CLERK

APPROVED AS TO FORM:

_____

CITY ATTORNEY GAB

PUBLISHED:

LEGAL DESCRIPTION:

BEING A PORTION OF THE EAST HALF OF SECTION 18, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE

GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 18;

THENCE NORTH 89 DEGREES 50 MINUTES 51 SECONDS EAST ALONG THE SOUTH LINE OF SAID SECTION 18, 222.89 FEET;

THENCE NORTH 00 DEGREES 09 MINUTES 04 SECONDS WEST, 2651.34 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 04 DEGREES 08 MINUTES 15 SECONDS WEST, 75.09 FEET TO A POINT MARKING THE BEGINNING OF A TANGENT CURVE HAVING A RADIUS OF 2335.00 FEET TO THE RIGHT;

THENCE ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 13 DEGREES 16 MINUTES

48 SECONDS, HAVING AN ARC DISTANCE OF 541.20 FEET;

THENCE NORTH 55 DEGREES 18 MINUTES 29 SECONDS EAST, 27.83 FEET;

THENCE SOUTH 78 DEGREES 46 MINUTES 18 SECONDS EAST, 95.69 FEET TO A POINT MARKING THE BEGINNING OF A TANGENT CURVE HAVING A RADIUS OF 535.00 FEET TO THE RIGHT;

THENCE ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 02 DEGREES 51 MINUTES

53 SECONDS, HAVING THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 02 DEGREES 51

MINUTES 53 SECONDS, HAVING ARC DISTANCE OF 26.75 FEET;

THENCE NORTH 63 DEGREES 07 MINUTES 40 SECONDS EAST, 37.07 FEET TO A POINT MARKING THE BEGINNING OF A NON-TANGENT CURVE, THE CENTRAL POINT OF WHICH BEARS SOUTH 16 DEGREES

57 MINUTES 28 SECONDS WEST, 560.00 FEET;

THENCE EASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 40 DEGREES 08

MINUTES 37 SECONDS, HAVING AN ARC DISTANCE OF 392.36 FEET;

THENCE SOUTH 32 DEGREES 53 MINUTES 55 SECONDS EAST, 425.26 FEET TO A POINT MARKING THE BEGINNING OF A TANGENT CURVE HAVING A RADIUS OF 640.00 FEET TO THE LEFT;

THENCE ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 03 DEGREES 43 MINUTES

57 SECONDS, HAVING AN ARC DISTANCE OF 41.69 FEET;

THENCE NORTH 89 DEGREES 58 MINUTES 31 SECONDS WEST, 755.67 FEET TO THE POINT OF BEGINNING.