



Chandler · Arizona
Where Values Make The Difference



MEMORANDUM

Planning Division – CC Memo No. 14-044

DATE: MAY 8, 2014

TO: MAYOR AND COUNCIL

THRU: RICH DLUGAS, CITY MANAGER *RD*
MARSHA REED, ASSISTANT CITY MANAGER *MR*
JEFF KURTZ, PLANNING ADMINISTRATOR *KA*
KEVIN MAYO, PLANNING MANAGER *JP*

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

SUBJECT: APL14-0002 AIRPARK AREA PLAN AMENDMENT/DVR13-0042 ARIZONA AVENUE & QUEEN CREEK ROAD/PPT13-0026 ARIZONA AVENUE & QUEEN CREEK ROAD
Adoption of Resolution No. 4761
Introduction and Tentative Adoption of Ordinance No. 4536

Requests: Area Plan amendment to the Airpark Area Plan from Neighborhood Commercial and Commercial/Office/Business Park with a Light Rail Corridor Overlay to Low-Medium Density Residential

Rezoning from Conceptual Planned Area Development (PAD) for Commercial/Office/Business Park to PAD (Low-Medium Density Residential)

Preliminary Development Plan (PDP) for subdivision layout and housing products

Preliminary Plat (PPT) approval for a single-family subdivision

Location: Northeast corner of Arizona Avenue and Queen Creek Road

Applicant: Andrew Gasparro, KB Home

Project Info: Approximately 13.83 acres with 90 single-family residential units; approximately 6.51 du/ac; all two-story housing plans

RECOMMENDATION

Upon finding the Area Plan amendment to be inconsistent with the General Plan, Planning Commission and Planning Staff recommend denial. Upon finding the Rezoning request to be inconsistent with the General Plan and Airpark Area Plan, Planning Commission and Planning Staff recommend denial. Therefore, Planning Commission and Planning Staff also recommend denial of the Preliminary Development Plan (PDP) and Preliminary Plat.

BACKGROUND

The approximate 13.83 acre site is located at the northeast corner of Arizona Avenue and Queen Creek Road. The subject site was annexed in 2008 and zoned Agricultural District (AG-1) and Regional Commercial District (C-3) zoning. In April 2012, the property was rezoned from AG-1 and C-3 to Conceptual Planned Area Development (PAD) zoning for commercial/office/business park. The Conceptual PAD allowed commercial uses permitted in the C-2 (Community Commercial) zoning district, office uses including general and medical/dental, and business park uses permitted in the I-1 (Planned Industrial) zoning district.

Arizona Avenue abuts the site's west side with the Carino Villas commercial parcel, yet to develop, the Carino Villas Condominiums multi-family project, and the Carino Estates single-family subdivision. South across Queen Creek Road is undeveloped land in the County planned for neighborhood commercial and commercial/office/business park with light rail corridor overlay. The southwest corner of the intersection is Chandler Center at Dobson Crossing, a mix of single-family residential, a newly built multi-family apartment development, and a future commercial corner. To the north and east is a high density urban residential apartment development, Archstone Village Crossing at Chandler. Further east is the Union Pacific Railroad tracks, undeveloped land zoned PAD for an industrial park, and a church on a County island.

GENERAL PLAN CONFORMANCE / AREA PLAN BACKGROUND

The General Plan designates this property as Employment and a Commercial Node, as within the Airpark Area Plan, and as a Large Tract Growth Area. The General Plan's Employment designation includes light industrial parks, corporate offices, manufacturing, knowledge-intensive employers, and a compatible mix of industrial support uses and residential densities as an integral component of a planned mixed-use development. The Commercial Nodes category denotes intersections appropriate for neighborhood or community commercial retail, office, commercial services, and institutional uses, as well as residential or employment where appropriate when allowed by the underlying land use designation, in this case Employment.

The Airpark Area Plan denotes the parcel as Commercial/Office/Business Park for major, campus-like employment centers including retail services, research and development, or office/showroom development type uses. The Airpark Area Plan also identifies Neighborhood Commercial at the intersection corner for neighborhood-based commercial uses such as retail, personal services, restaurants, and the like. In addition, the entire parcel is within the Light Rail Corridor Overlay allowing the development of residential densities of 12.1 to 18.0 dwelling units per acre.

This subject property is at an arterial street intersection and is intended to develop with other than single-family residential use. The property is not part of a larger single-family residential neighborhood. Under the guidelines of the General Plan and Airpark Area Plan, single-family residential is not a considerable land use in the Employment, Neighborhood Commercial, or Commercial/Office/Business Park categories.

AREA PLAN AMENDMENT

The request amends the Airpark Area Plan from Neighborhood Commercial and Commercial/Office/Business Park with a Light Rail Corridor Overlay to Low-Medium Density Residential. The single-family residential use is not part of the current land use categories and is incompatible with adjacent high density multi-family residential, planned commercial at the arterial street intersection, and future industrial and light industrial development to the east.

REZONING

The request is to Rezone approximately 13.83 acres from Conceptual Planned Area Development (PAD) for Commercial/Office/Business Park to PAD (Low-Medium Density Residential). The Arizona Avenue and Queen Creek Road zoning case is the first development request for this site. The property has been farmed for many years. KB Home proposes to develop a single-family residential community that includes 90 single-family residential units at approximately 6.51 du/ac. The lots are designed in a cluster configuration with use and benefit easements for individual detached homes. Lot sizes are a minimum 2,442 sq. ft. (44'x55.5') up to 3,723 sq. ft. (69.2'x53.8'); however, the Development Booklet requests to reduce the minimum lot area to 2,220 sq. ft. as needed.

The subdivision is an intimately designed single-family residential project. Building layout, open space, and pedestrian pathways create an inviting living environment by clustering homes. The subdivision is unique by way of details that form an unconventional layout alleviating a geometric design. Special attention is applied to walls along street frontages and home locations internally. Externally, walls are staggered and angled to accommodate more open space. Internally, homes are sited to provide a varied street scene. Pedestrian access gates, grass front yards, and private open spaces are elements that offer diversity in this cluster form of residential. Lots along the greenbelt open space have pedestrian gates to access the open space.

SUBDIVISION DIVERSITY

The Rezoning request includes PDP approval for a single-family subdivision layout and two-story housing products. The development is not gated and includes public streets. The subdivision abuts a developing 21-acre 380 unit gated multi-family residential apartment project at 17.5 dwelling units per acre.

There is a full-movement entry/exit off of both arterial streets. The Arizona Avenue entry is designed with a landscaped median leading to the community's loop road. This entry/exit is shared with the multi-family development to the north for full movement access. The landscape median being installed by the apartment development includes Date Palm trees and shrubs. The Queen Creek Road entry/exit leads to the subdivision's community pool and amenity area.

The previously approved Archstone development, including the apartments and this future commercial/office/business park component, intended to have an overall theme between the two components. A similar theme is created between the proposed development and apartments by the use of Olive and Oak tree lined street frontages and perimeter walls designed with slate tile and metal screen elements, which complement the multi-family's urban design.

The subdivision design includes a sense of arrival into the neighborhood with open spaces and landscaping at both entries and a distinctive streetscape theme along Arizona Avenue and Queen Creek Road. The streetscape open space along Arizona Avenue is over 60 feet deep with a large green open space/useable retention basin at the arterial intersection corner. Another green useable retention basin is off of Queen Creek Road.

The subdivision lot layout has square and rectangular shaped lots that include irregular side yard property lines. Use and benefit easements allow for varied side yard widths depending upon the home's footprint and the specific lot design. The homes and privacy walls will be situated on lots to create functional side yards that are 5 feet in width. Adjacent side yards create 10 feet and greater building separations. Front yard building setbacks are a minimum of 10 feet for lots adjacent to the street right-of-way (corner lots) with 8 feet to front entries/porch. Within the motor court, front yard setbacks are 3.5 feet from the easement. Rear yard setbacks are a minimum of 5 feet. Patio covers are 0 feet when adjacent to a use and benefit easement. The maximum lot coverage is the proposed building envelope for each lot. The lots are not large enough to accommodate building additions or detached buildings or structures.

Since all of the lots are less than 7,000 square feet, all of the Residential Development Standards (RDS) for subdivision diversity would be required. However, it is realized that this type of subdivision cannot meet all of the subdivision diversity standards. The subdivision design provides diversity in the essence of the RDS. The unconventional layout with pedestrian features, grass yards, and open spaces along with varied lot depths along arterial street frontages create an inviting community. The subdivision design meets the intent of the RDS subdivision diversity elements as outlined in the Development Booklet.

A parking study layout was prepared to assure adequate guest parking spaces are distributed appropriately throughout the development.

Signage for the community name is applied on perimeter walls at the two entrances. The sign wall includes a powder coated bronze color sign panel with individual reverse pan channel aluminum letters with halo illumination.

HOUSING PRODUCT

The housing plans are called 'court product' given the homes' courtyard setting. There are four two-story housing plans ranging in size from approximately 1,966 to 2,845 livable square feet and designed with several architectural styles. Each housing plan includes three elevation styles providing a total of 12 housing plan options.

The housing plans are designed specifically for the cluster subdivision layout. A common motor court serves the vehicular access to garages. The homes surround the motor court thus creating a cluster layout resulting in no garage doors along the main loop street. Standard features include rear yard covered patios, covered front entries, stone veneer on at least one elevation, window muntins, window shutters and awnings, decorative window surrounds, wrought-iron accents, and corbels.

Each housing plan is designed in association with one another for placement on the six lots within each cluster. For example, Plan 2270 will locate on the two lots abutting the loop public street. Front doors and green space are oriented toward the street enhancing streetscapes. Enhanced rear elevations are provided for homes adjacent to arterial streets and open spaces.

As well, since all of the lots are less than 7,000 square feet, all of the RDS for architectural diversity would be required. However, it is realized that a subdivision of this type cannot meet all of the diversity standards as outlined in the RDS. The grouping of housing plans in a cluster layout, the architectural elements, and footprint of the homes provide diversity within the subdivision.

The architectural diversity elements include four-sided architecture, de-emphasized garage fronts by locating them within the motor court area, varied rooflines, prohibiting same elevation on adjacent homes or across the street, and trash bins within garage or behind a wall. The housing product design meets the intent of the RDS architectural diversity elements as outlined in the Development Booklet.

AIRPORT RECOMMENDATION

The Airport Commission reviewed the Area Plan amendment and Rezoning request in accordance with the Airport Conflicts Evaluation Process. A conflicts evaluation report was issued indicating that the Airport Commission determined the proposed development does constitute a conflict with existing or planned airport uses. Conflicts cited include that the change in land use to single-family residential is incompatible with the City's guiding documents that are designed to preserve the long-term viability of the airport and surrounding area. Additionally, there is great likelihood that residents will be negatively impacted by noise created by over flight of traffic pattern aircraft.

DISCUSSION

Planning Commission and Planning Staff are of the opinion the proposed development is not in conformance with the General Plan and Airpark Area Plan. The single-family residential use is incompatible with adjacent high density multi-family residential, planned commercial at the arterial street intersection, and future industrial and light industrial development to the east as a part of the Airpark Area Plan.

Single-family residential is the least desirable land use for this parcel. Other land uses are more appropriate including commercial retail, office, flex industrial, warehouse, business park, and like uses. These uses are compatible and provide a transition into commercial/office/business park and light industrial uses planned for the area. The airport area has limited property

designated for single-family low density or low-medium density residential. There is a need for higher density multi-family residential to support the Airpark Area Plan in addition to commercial, office, and business park type uses.

Additionally, the intersection is a designated Commercial Node and currently the northwest and southwest corners are zoned PAD for commercial use, and the southeast corner is in the County zoned C-3 General Commercial zoning. An evaluation of this intersection from a land use and economic development standpoint considered the potential growth at this intersection and what is sustainable for the future. Planning Commission and Planning Staff concluded that the subject site would be best developed for commercial/office/business park and/or neighborhood commercial uses.

While Planning Commission and Planning Staff does not support the requested Area Plan amendment and Rezoning, the PDP for subdivision layout and housing products offer an attractive development. The cluster, motor court layout creates an intimate environment amongst 90 homes. The subdivision is unique and incorporates an open space corridor, open spaces along arterial streets, varied lot depths and perimeter wall locations, and pedestrian access ways. The development is a modern version of a cluster lot layout that has been successful throughout Chandler.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- The applicant mailed notices for a meeting in November 2013, no residents attended. This meeting did not meet City requirements for an expanded notification area related to Area Plan amendments thus the City required a new neighborhood meeting.
- The neighborhood meeting was held March 10, 2014. Four area residents attended the meeting. There were questions regarding price ranges, if on-street parking was allowed, what is the land plan for the Airpark Area, and if the homes were being developed anywhere else. The development team responded that pricing is not determined yet, on-street parking is allowed along the loop street which is designed as a public street, addressed the land plan for the area, and conveyed the housing product is under construction at a Phoenix development.
- Planning Staff and the applicant received an email from an area homeowner who supports the development. Planning Staff received a voice message in opposition to this development. The caller conveyed he does not want this project approved. He stated he has already seen how residential in the area has hurt the expansion of the airport area.
- Planning Staff is not aware of any other opposition or concerns with this development.

PLANNING COMMISSION VOTE REPORT

Motion to Deny.

In Favor: 5 Opposed: 1 (Ryan) Abstain: 1 (Baron)

Planning Commission conveyed there was intent in the initial Archstone Village Crossing at Chandler development plan to have high density multi-family residential with a future commercial/office/business park corner to support the airport's growth and development including adjacent industrial and commercial/office/business park property to the east along Queen Creek Road extending to Gilbert Road. Commission wants to maintain the vision of the Airpark Area Plan. Additional comments included the proposed low-medium density residential is not compatible next to the high-density residential behind and next to it. The land has future viability for office and business park development. There is a need for development's accommodating smaller users and offices not just larger master planned office parks. While office and business park uses may take some time to develop in the area, it eventually can develop similar to the business park north of Stellar Airpark.

RECOMMENDATIONS

Area Plan

Planning Commission and Planning Staff, upon finding inconsistency with the General Plan, recommend denial of the Area Plan amendment.

Rezoning

Planning Commission and Planning Staff, upon finding inconsistency with the General Plan and Airpark Area Plan, recommend denial of the Rezoning.

Preliminary Development Plan

Planning Commission and Planning Staff recommend denial of the Preliminary Development Plan due to the land use being inconsistent with the General Plan.

Preliminary Plat

Planning Commission and Planning Staff recommend denial of the Preliminary Plat due to the land use being inconsistent with the General Plan.

PROPOSED MOTIONS

Area Plan

Motion to recommend denial of the Airpark Area Plan amendment from Neighborhood Commercial and Commercial/Office/Business Park with a Light Rail Corridor Overlay to Low-Medium Density Residential in case APL14-0002 AIRPARK AREA PLAN AMENDMENT, per Planning Commission and Planning Staff recommendation.

Rezoning

Motion to recommend denial of rezoning request DVR13-0042 ARIZONA AVENUE & QUEEN CREEK ROAD from PAD for Commercial/Office/Business Park to PAD (Low-Medium Density Residential), per Planning Commission and Planning Staff recommendation.

Preliminary Development Plan

Motion to recommend denial of Preliminary Development Plan request DVR13-0042 ARIZONA AVENUE & QUEEN CREEK ROAD for the single-family residential development, per Planning Commission and Planning Staff recommendation.

Preliminary Plat

Motion to recommend denial of Preliminary Plat request PPT13-0026 ARIZONA AVENUE & QUEEN CREEK ROAD, per Planning Commission and Planning Staff recommendation.

ALTERNATIVE MOTIONS

Area Plan

Move to adopt Resolution No. 4761 approving the Airpark Area Plan amendment from Neighborhood Commercial and Commercial/Office/Business Park with a Light Rail Corridor Overlay to Low-Medium Density Residential in case APL14-0002 AIRPARK AREA PLAN AMENDMENT.

Rezoning

Move to introduce and tentatively adopt Ordinance No. 4536 approving rezoning request DVR13-0042 ARIZONA AVENUE & QUEEN CREEK ROAD from PAD for Commercial/Office/Business Park to PAD (Low-Medium Density Residential), subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "ARIZONA AVENUE & QUEEN CREEK ROAD", kept on file in the City of Chandler Planning Division, in File No. DVR13-0042, 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. 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.

7. 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.
8. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Director of Transportation and 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. 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.
11. The following stipulations shall be the responsibilities of the subdivider/homebuilder/developer and shall not be construed as a guarantee of disclosure by the City of Chandler:
 - a) Prior to any lot reservation or purchase agreement, any and all prospective homebuyers shall be given a separate disclosure statement, for their signature, fully acknowledging that this subdivision lies within the Chandler Municipal Airport Impact Overlay District, as specified in the Chandler Zoning Code. The disclosure statement shall acknowledge the proximity of this subdivision to the Chandler Airport and that an avigational easement exists and/or is required on the property, and further, shall acknowledge that the property is subject to aircraft noise and overflight activity. This document signed by the homebuyer shall be recorded with Maricopa County Recorders Office upon sale of the property.
 - b) The subdivider/homebuilder/developer shall also display, in a conspicuous place within the sales office, a map illustrating the location of the subdivision within the Airport Impact Overlay District, as well as the noise contours and overflight patterns, as identified and depicted in the document entitled Chandler Municipal Airport, F. A. R. Part 150, Noise Compatibility Study, Noise Compatibility Program, Exhibit 6A (Potential Airport Influence Area), as adopted by the Chandler City Council (Resolution No. 2950, 11-5-98). Such map shall be a minimum size of 24" x 36".
 - c) The above referenced information shall also be included within the Subdivision Public Report to be filed with the State of Arizona Department of Real Estate, as required by Arizona Revised Statute 28-8486 and Arizona Revised Statute 28-8464.

- d) Compliance with this condition shall be demonstrated by the subdivider/homebuilder/developer by submittal of a signed affidavit and photograph that acknowledges this disclosure and map display prior to beginning any sales activity. Failure to comply with this condition will result in revocation of the Administrative Use Permit for the temporary sales office. All requirements as set forth in this condition are the obligation of the subdivider/homebuilder/developer and shall not be construed as a guarantee of disclosure by the City of Chandler.
- e) The subdivider/homebuilder/developer shall provide the City with an avigational easement over the subject property in accordance with Section 3004 of the City of Chandler Zoning Code.
- f) All homes and buildings shall be designed and built to achieve an interior noise level not to exceed 45 decibels (Ldn) from aircraft noise. A professional acoustical consultant, architect or engineer shall certify that the project's construction plans are in conformance with this condition.
- g) The Final Plat shall contain the following statement on the cover sheet in a prominent location and in large text:

“This property is located within the Chandler Municipal Airport Impact Overlay District and is subject to aircraft noise and overflight activity, and is encumbered by an avigational easement to the City of Chandler.”

12. 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 a heliport at the Chandler Municipal Airport 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 a heliport, and the disclosure shall state that such uses are legal and should be expected to continue indefinitely. The disclosure shall be presented to prospective homebuyers on a separate, single form for them to read and sign prior to or simultaneously with executing a purchase agreement. 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.
13. 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.

Preliminary Development Plan

Move to approve Preliminary Development Plan request DVR13-0042 ARIZONA AVENUE & QUEEN CREEK ROAD for the single-family residential development, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "ARIZONA AVENUE & QUEEN CREEK ROAD", kept on file in the City of Chandler Planning Division, in File No. DVR13-0042, except as modified by condition herein.
2. No more than two identical side-by-side roof slopes should be constructed along arterial streets or public open space.
3. The same floor plan and elevation shall not be built side-by-side or directly across the street from one another.
4. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
5. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or homeowners' association.
6. 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.

Preliminary Plat

Move to approve Preliminary Plat request PPT13-0026 ARIZONA AVENUE & QUEEN CREEK ROAD, subject to the following condition:

1. Approval by the City Engineer and Planning Administrator with regard to the details of all submittals required by code or condition.

Attachments

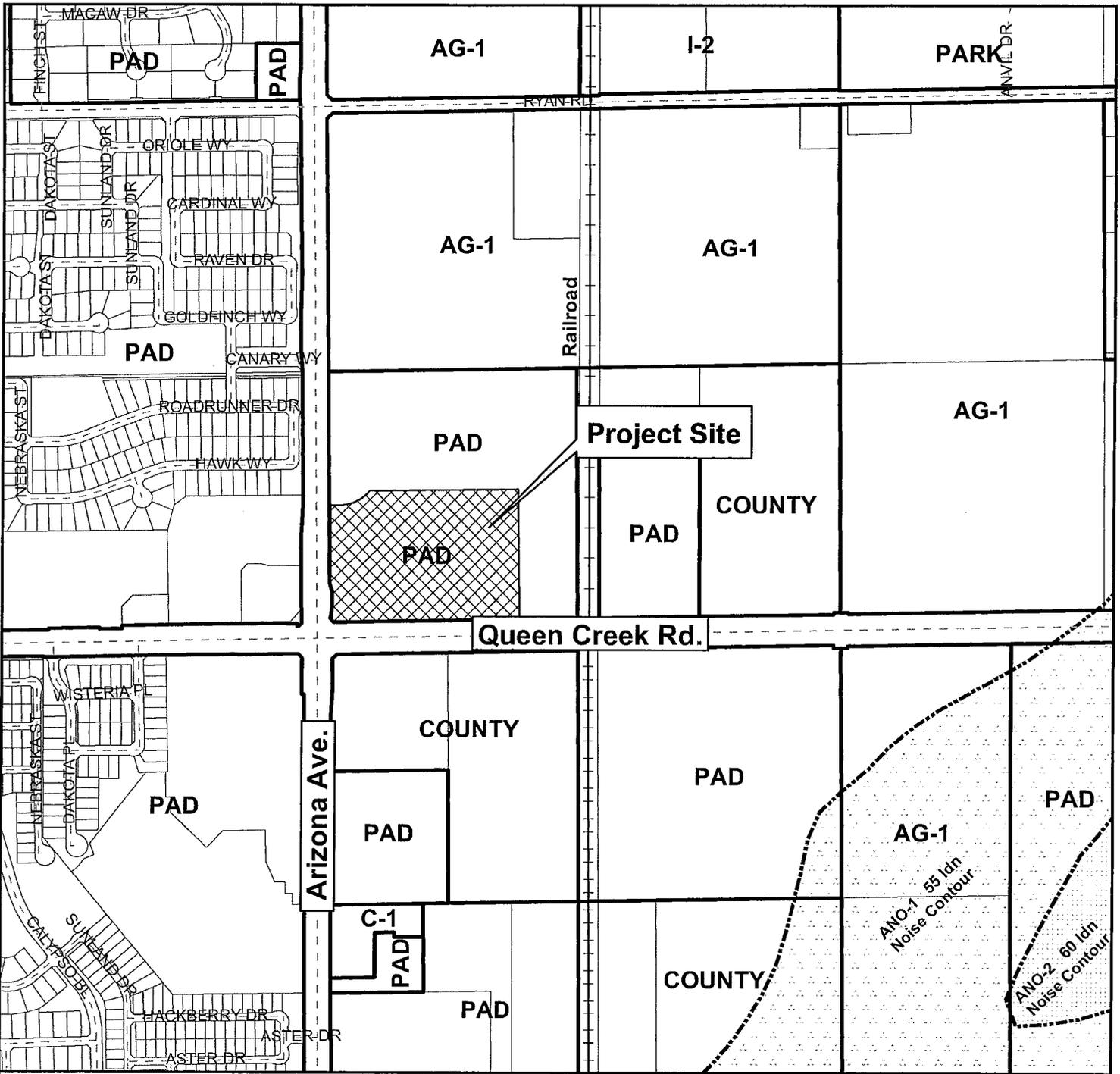
1. Vicinity Maps
2. Site Plans
3. Landscape Plans
4. Wall and Interior Street Scene Plans
5. Perspectives
6. Housing Plans 1954 and 2845 (smallest and largest)
7. Preliminary Plat, PPT13-0020

CC Memo No. 14-044

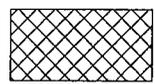
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8. Airport Conflicts Evaluation Report
9. General Plan Land Use Map
10. Airpark Area Plan
11. Resolution No. 4761
12. Ordinance No. 4536
13. Development Booklet, Exhibit A



Vicinity Map



DVR13-0042

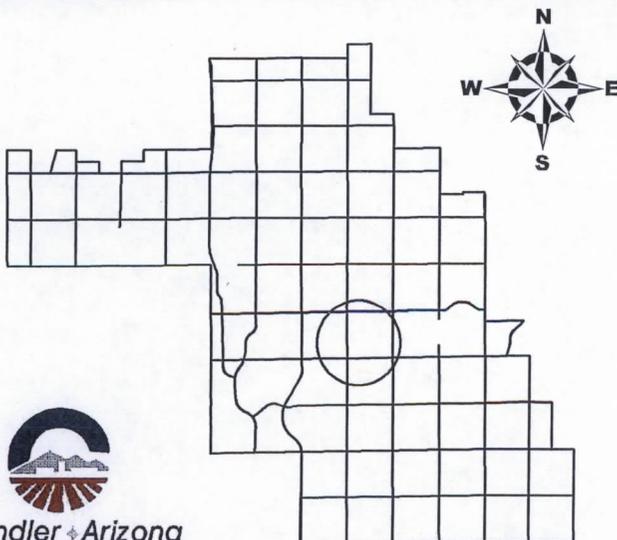
Arizona Avenue and Queen Creek



Chandler ♦ Arizona
Where Values Make The Difference



Vicinity Map



DVR13-0042

Arizona Avenue and Queen Creek

PAD and PDP

Development Plan

The proposed development of 13.83 net acres is designed with 90 single family residential units comprised of court type lots. The overall net density of the community is 6.51 dwelling units per acre allowing for 3.72 acres or 22% of the project area to be developed as open space. Access into the community consists of the primary access off Queen Creek with a landscaped median and large open space views on either side and an entry monument on the east side. The secondary access off Arizona Ave is a shared entry with the north apartment site and includes a landscaped median and monumentation on the south side.

Site Data		
Description	Quantity	Mix
Gross Acreage	16.67 AC.	
Net Acreage	13.83 AC.	
Open Space	3.72 AC.	22%
Court Lots	90	Units 100%
Total	90	Units 5.40 DU/AC

Development Plan



Open Space Plan

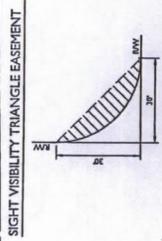




LINE	LENGTH	BEARING
L1	48.14'	N0°22'55"E
L2	7.98'	N0°22'31"E
L3	43.37'	N0°25'09"W

BACK OF CURB AND CENTRAL CURVE TABLE				
CURVE	LENGTH	RADIUS	CHORD	DELTA
C1	79.41'	603.00'	91.77'	01°37'00"
C2	75.59'	603.00'	75.37'	01°46'40"
C3	19.10'	512.31'	19.10'	00°20'11"
C4	64.70'	618.82'	64.72'	00°35'40"
C5	83.85'	616.65'	83.81'	00°39'32"

- SCHEDULE B ITEMS**
- ⑥ TEMPORARY DRAINAGE EASEMENT, DOC. 14-02-041, PICK (TO BE ABANDONED)
 - ⑩ DRAINAGE EASEMENT, DOC. 08-14-0314, PICK
 - ⑪ TEMPORARY CONSTRUCTION EASEMENT, DOC. 08-14-0314, PICK
 - ⑬ TEMPORARY CONSTRUCTION EASEMENT, DOC. 08-14-0314, PICK (TO BE ABANDONED)

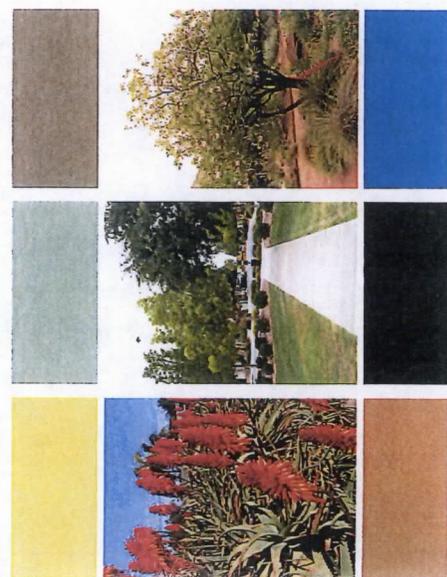


Site Plan

Landscape Master Plan

PLANT NAME	SIZE	QTY	Height (in feet)	Width (in feet)
TREES				
Acacia senaria	24" Box	44	7.0	3.5-4.0
Albizia julibrissin	15 gal	22	7.0	2.5-3.5
Chilodactylus	15 gal	22	7.0	2.5-3.5
Fraxinus velutina 'Weinmann'	24" Box	45	8.0-9.0	3.5-4.0
Fraxinus velutina	24" Box	25	6.5-8.5	3.5-4.0
Fraxinus velutina	24" Box	25	6.5-8.5	3.5-4.0
Phoenix ssp. 'Blue'	15' to 18' Triangle	1	N/A	N/A
Platanus	24" Box	5	7.0-9.0	2.5-3.5
Quercus virginiana	24" Box	100	7.0-9.0	3.5-4.0
Quercus virginiana	24" Box	6	7.0-9.0	3.5-4.0
Sapota indica	15 gal	33	3.0	1.0
Shorea robusta	24" Box	114	7.0-9.0	3.5-4.0
Chilodactylus	15 gal	28	5.0	2.0-3.0

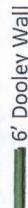
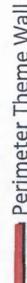
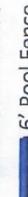
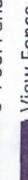
All trees shall comply with the latest amended edition of the Arizona Nursery Association - Recommended Tree Specification - see section 100.000000, covering code.



Wall Plan



Legend

-  6' Dooley Wall
-  Perimeter Theme Wall
-  Partial View Fence
-  6' Pool Fence
-  View Fence
-  Primary Entry
-  Secondary Entry
-  Corner Planter Treatment

Walls and Monumentation



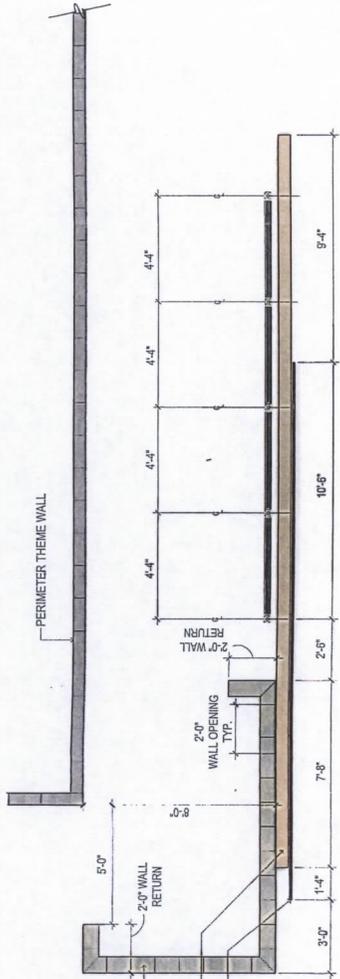
FLOATING ALUMINUM LETTERS (HALO LIT)



BEDROSIAN SLATE TILE - VIOLENT STORM

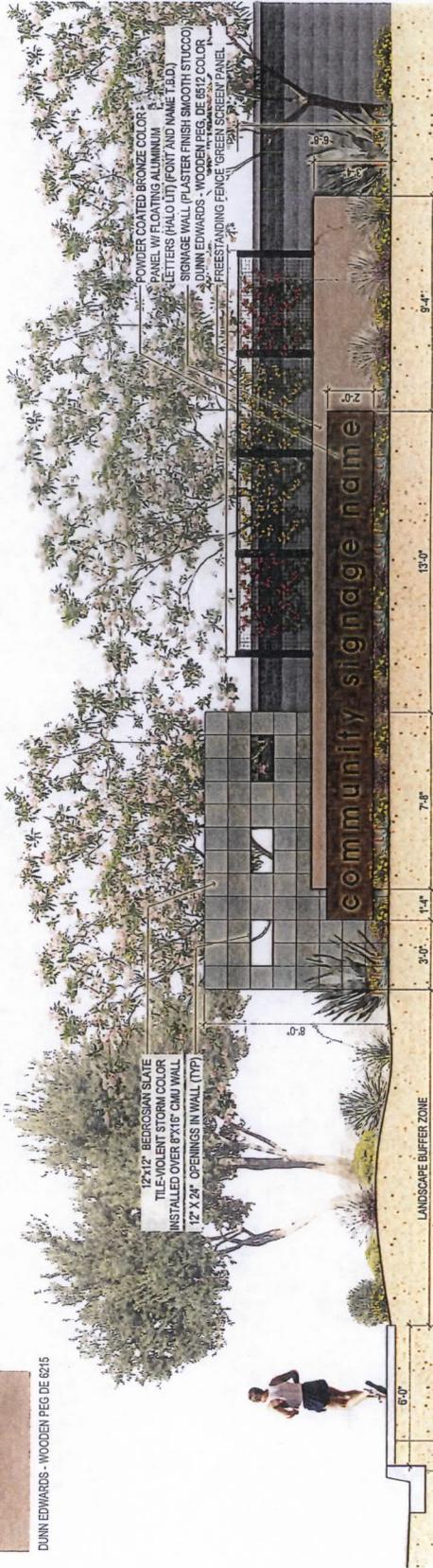


DUINN EDWARDS - WOODEN PEG DE 6215



- 12"x12" BEDROSIAN SLATE - TILE-VIOLENT STORM COLOR INSTALLED OVER 8"x18" CMU WALL
- SMOOTH STUCCO SIGNAGE WALL
- POWDER COATED BRONZE COLOR SIGN PANEL W/ FLOATING ALUMINUM LETTERS (HALO LIT)

PRIMARY ENTRY W/ SIGNAGE - EAST PLAN

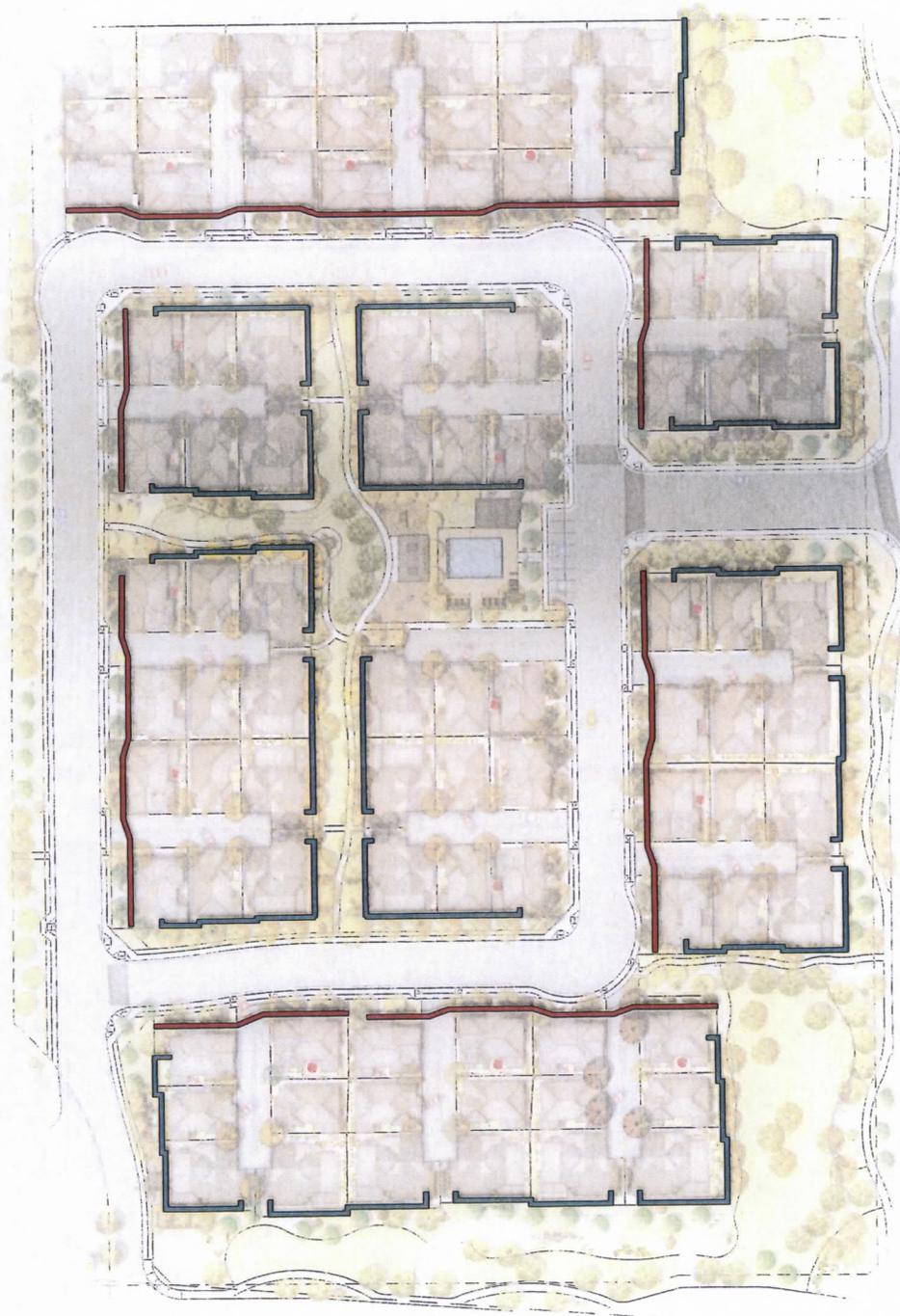


- 12" X 24" OPENINGS IN WALL (TYP)
- 12" X 12" BEDROSIAN SLATE TILE-VIOLENT STORM COLOR INSTALLED OVER 8" X 18" CMU WALL
- POWDER COATED BRONZE COLOR PANEL W/ FLOATING ALUMINUM LETTERS (HALO LIT) (FONT AND NAME T.B.D.)
- SIGNAGE WALL (PLASTER FINISH SMOOTH STUCCO)
- DUINN EDWARDS - WOODEN PEG, DE 6512 COLOR
- FREESTANDING FENCE GREEN SCREEN PANEL

- CONCRETE SIDEWALK (TYP)
- CURB AND GUTTER (TYP)

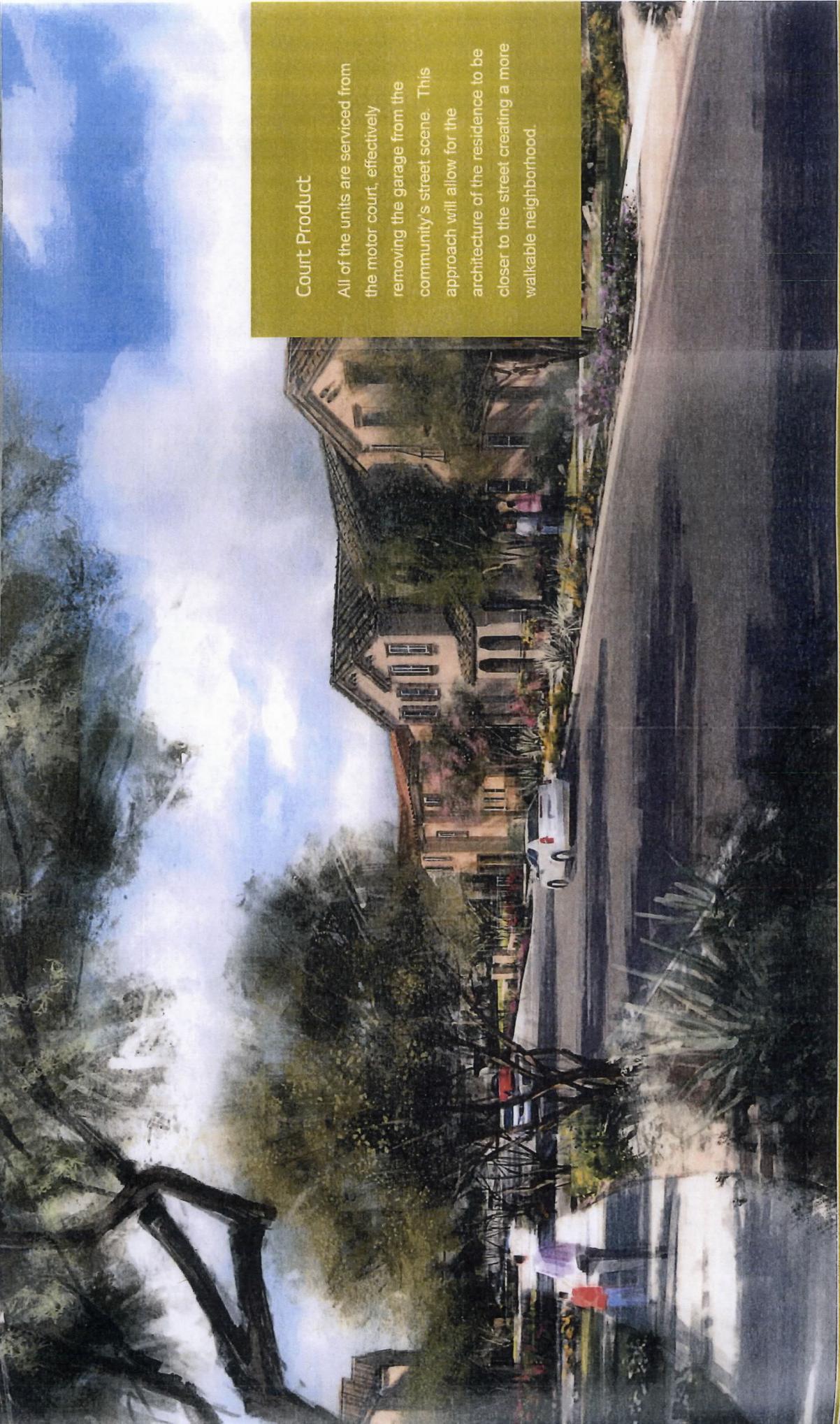
PRIMARY ENTRY W/ SIGNAGE - EAST ELEVATION

Primary Entry



LEGEND
Street Scene Setbacks
Perimeter Wall Offsets

Articulation Plan



Court Product

All of the units are serviced from the motor court, effectively removing the garage from the community's street scene. This approach will allow for the architecture of the residence to be closer to the street creating a more walkable neighborhood.

Visual interest throughout the neighborhood is achieved through staggering the setbacks of lots along the streets and varied articulation in the walls.

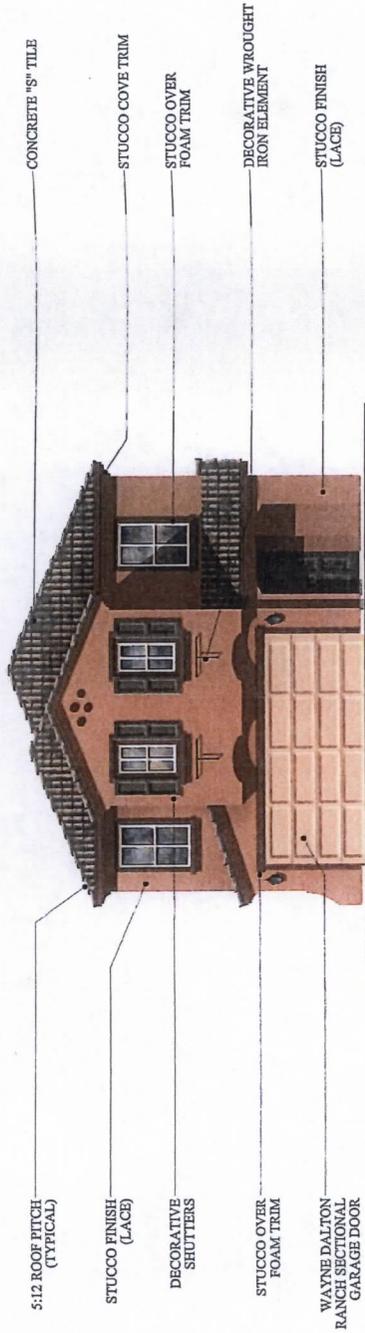


Court Product

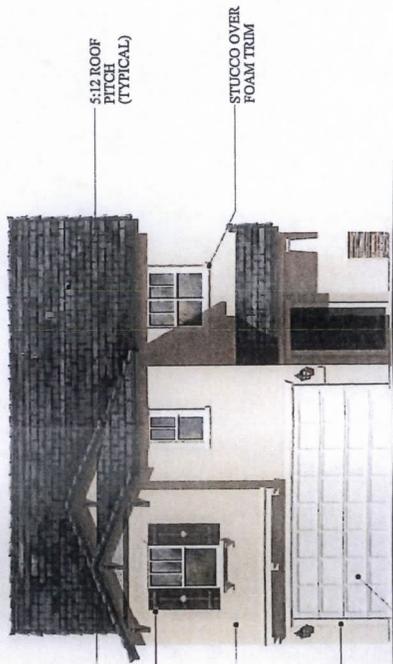
The proposed court type product is designed with six (6) 2-story single family units that surround a common motor court. All of the units are serviced from the motor court, effectively removing the garage from the community's street scene. This approach will allow for the architecture of the residence to be closer to the street creating a more walkable neighborhood. The street scene will also be enhanced with heavy architectural detailing of front doors, porches, and well landscaped tree lined streets. The traditional private yard space is being utilized in common open space areas; residents are able to use these common open spaces without having to maintain them. Overall, the development's single family residential product provides an efficient lifestyle.



Architecture



"A" (SANTA BARBARA)



"D" (CRAFTSMAN)



"B" (FORMAL SPANISH)



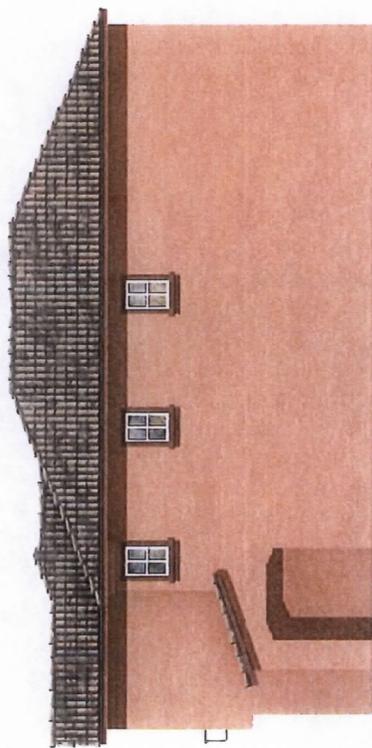
Architecture



LEFT ELEVATION (ENHANCED)



FRONT ELEVATION



RIGHT ELEVATION

"A" (SANTA BARBARA)

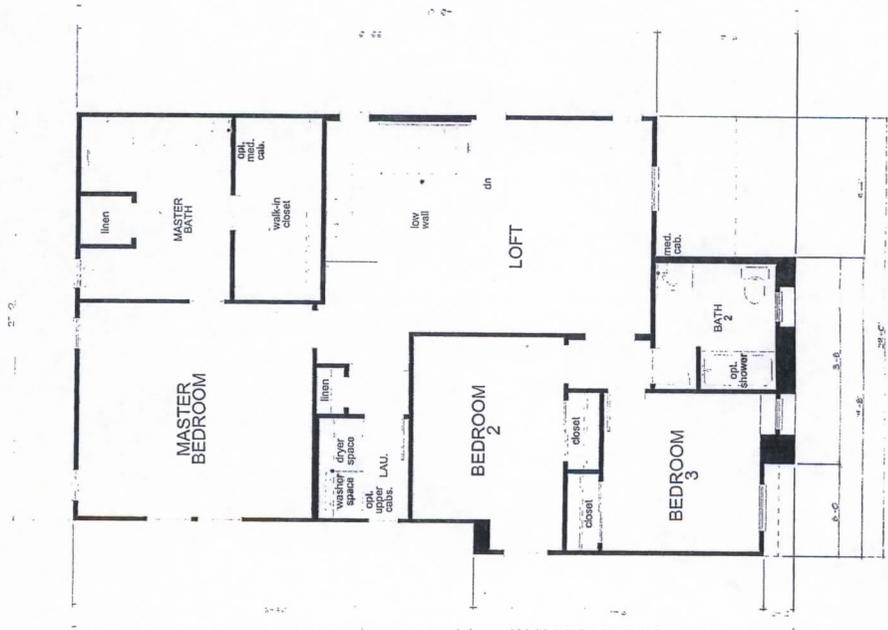


REAR ELEVATION (ENHANCED)

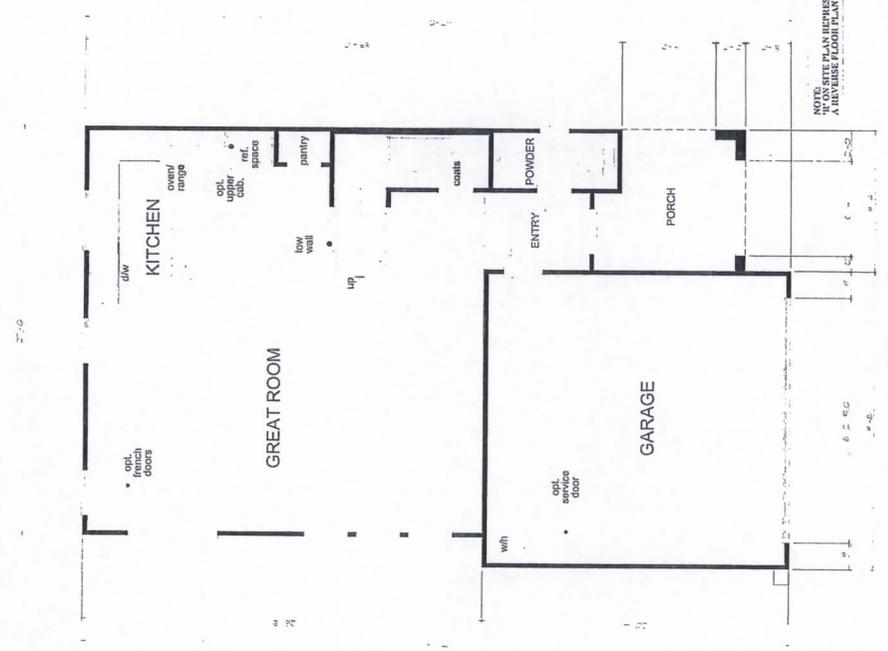


Plan # 1954

Architecture



Second Floor Plan 'A'



First Floor Plan 'A'

SQUARE FOOTAGE
PLAN # 222854

1ST FLOOR AREA	3,912
2ND FLOOR AREA	2,100
TOTAL AREA	6,012
GARAGE AREA	1,000
PORCH AREA	600
ELEVATION A	50
ELEVATION B	50
ELEVATION C	50

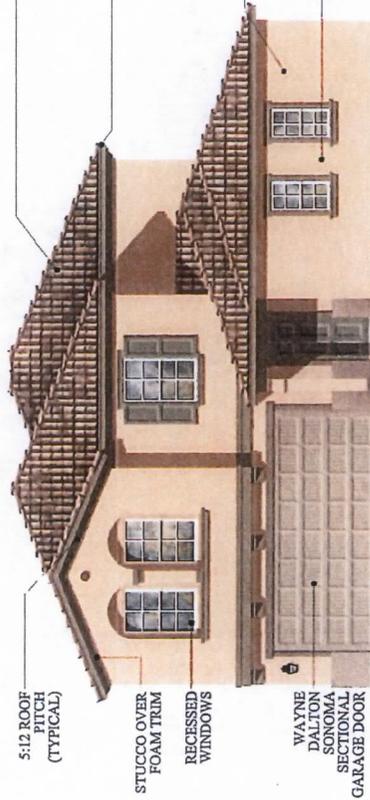
NOTE: THIS PLAN REPRESENTS A REVERSE FLOOR PLAN

Architecture

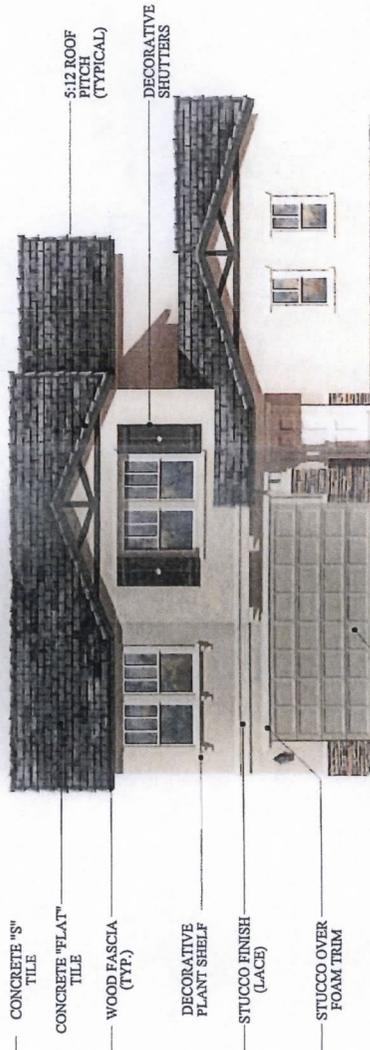


WAYNE DALTON RANCH SECTIONAL GARAGE DOOR

"A" (SANTA BARBARA)



"B" (FORMAL SPANISH)

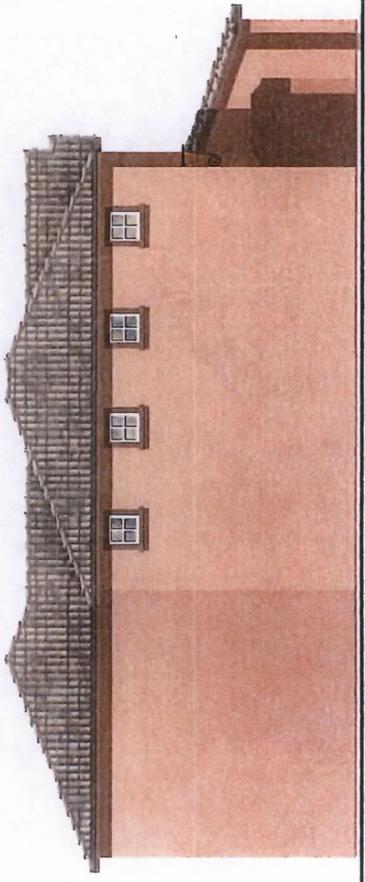


"D" (CRAFTSMAN)



Plan # 2845

Architecture



LEFT ELEVATION



FRONT ELEVATION



RIGHT ELEVATION (ENHANCED)

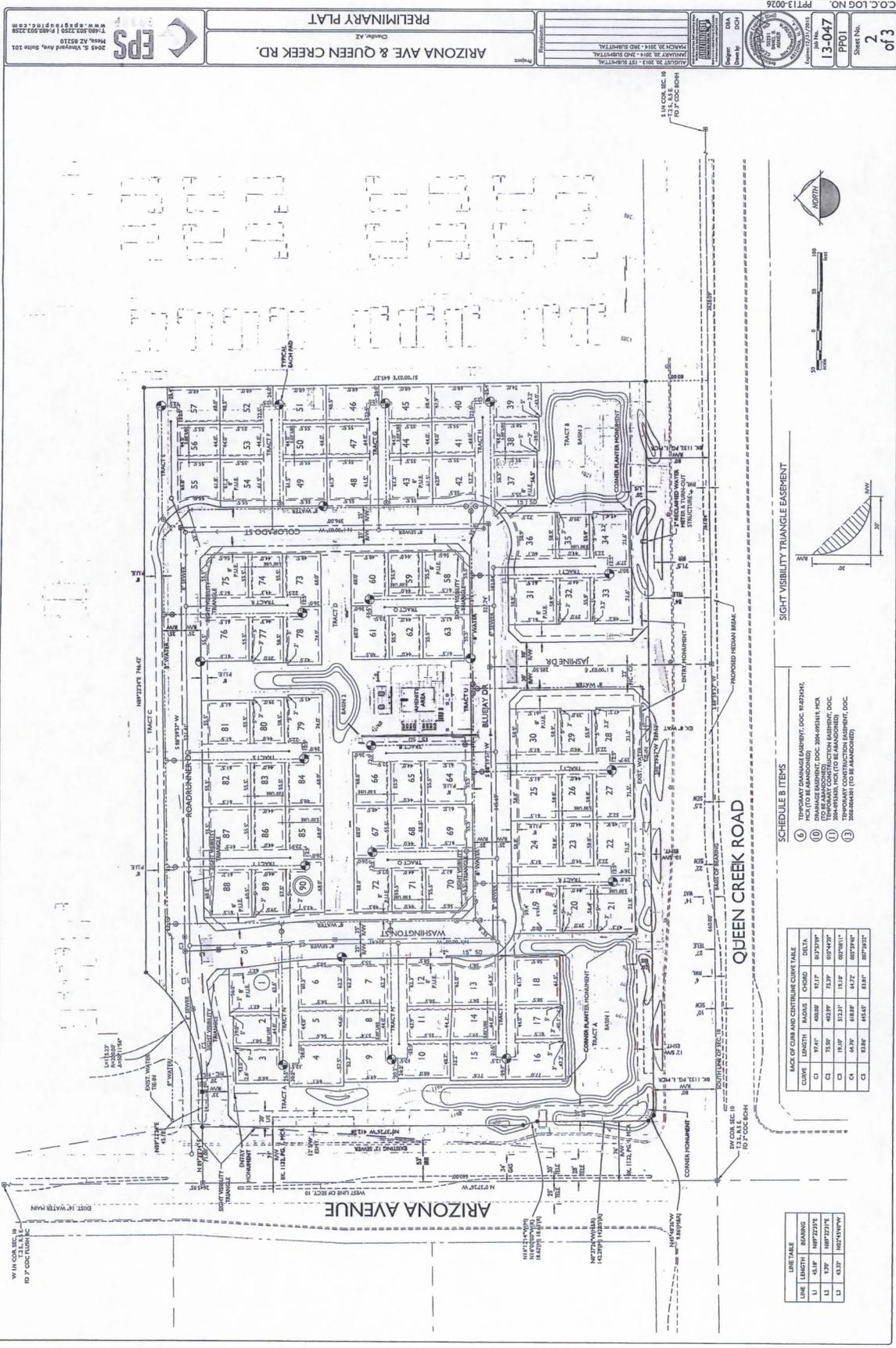
"A" (SANTA BARBARA)



REAR ELEVATION (ENHANCED)



Plan # 2845



13-047

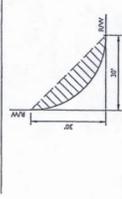
ARIZONA AVE & QUEEN CREEK RD.
PRELIMINARY PLAT
Cochise, AZ

C.C. LOG NO. PPT13-0026
 Date: 13-047
 Sheet No. 2 of 3

BACK OF CURB AND CONTIGUOUS CURVE TABLE

CURVE	LENGTH	RADIUS	CHORD	DELTA
C1	75.11'	4500'	71.17'	87°33'00"
C2	75.50'	4539'	73.37'	87°44'00"
C3	76.16'	5123'	74.16'	88°00'00"
C4	64.74'	6188'	61.72'	88°23'00"
C5	83.86'	6453'	83.81'	88°30'00"

- SCHEDULE B ITEMS
- (4) TEMPORARY DRAINAGE EASEMENT, DOC. 19872987.
 - (5) DRAINAGE EASEMENT, DOC. 2004-0518A, PER A.
 - (6) TEMPORARY CONSTRUCTION EASEMENT, DOC. 19872987.
 - (7) TEMPORARY EASEMENT TO BE AMENDED, DOC. 2008-064391 (TO BE AMENDED).





Chandler • Arizona
Where Values Make The Difference

MEMORANDUM

Economic Development – Airport Memo No. AP14-025

DATE: APRIL 10, 2014
TO: JEFF KURTZ, ZONING ADMINISTRATOR
FROM: LORI QUAN, AIRPORT ADMINISTRATOR *LQ*
SUBJECT: AIRPORT CONFLICTS EVALUATION – ARIZONA AVE AND QUEEN CREEK RD (APL14-0002 & DVR13-0042)

The Airport Commission discussed the request for an Area Plan amendment and rezoning for the proposed single-family residential development to be located at the northeast corner of Arizona Avenue and Queen Creek Road at their regular meeting on April 9, 2014.

Finding: The Commission determined the proposed development does constitute a conflict with existing or planned airport uses.

Conflict(s) Cited: This change is incompatible with the City's guiding documents that are designed to preserve the long-term viability of the Airport and the Airpark Area. Additionally there is great likelihood that residents will be negatively impacted by noise created by over flight of traffic pattern aircraft.

Commission Members in Attendance: Kelly McMullen, Schulyer "Sky" McCorkle, Chelle Daly, Gary DeHoff and Frank Nechvatal. This attendance represented a quorum.

In compliance with the Airport Conflicts Evaluation Process, the Commission voted unanimously to forward a report to the Planning Administrator and City Council indicating the findings noted above.

cc: Jodie Novak

FUTURE LAND USE PLAN

RESIDENTIAL
 This category allows a range of residential densities from Rural Residential (0 - 2.5 dwellings per acre) to Urban Residential (16+ dwellings per acre) based upon location and other criteria described in the text of the General Plan. Single-family detached, attached, and multi-family residential uses may be located along frontages of arterial streets. Commercial uses may be located at the corners of arterial street intersections, and mixed-use developments may be located at the intersection of major arterial streets and along High Capacity Transit Corridors.

COMMERCIAL
 Major regional commercial uses such as malls, power centers, large single-use retail development, and other major commercial developments. As described in the text of the General Plan, mixed-use developments, large office developments, and a compatible mix of residential densities can be considered in regional commercial areas.

EMPLOYMENT
 Major employers, knowledge-intensive employers, industrial/business parks, and industrial support uses. A compatible mix of residential densities as an integral component, and innovation zones may be considered as described in the text of the General Plan.

RECREATION / OPEN SPACE
 Public parks and open spaces shown are greater than approximately five acres in size. For a complete map including recreational facilities and privately owned golf courses, see the Recreation and Open Space Element.

COMMERCIAL NODES
 Neighborhood or community commercial, including large single-use retail development. By policies described within the text of the General Plan and area plans, commercial offices, commercial services, and institutional uses can be developed at commercial nodes. All new commercial will take into consideration existing commercial development which may not necessarily be shown on this map.

REVITALIZATION / INFILL GROWTH AREA
 Mixed-uses including commercial, office, public, and various residential densities.

SOUTH PRICE ROAD EMPLOYMENT CORRIDOR
 Large single-user campus employment, or as an alternative, an innovation zone as described in the text of the General Plan can be considered.

LARGE TRACT GROWTH AREAS
 See Growth Areas Element.

GROWTH EXPANSION NODES
 See Growth Areas Element.

DOWNTOWN AREA *
 Mixed-use public facilities, commercial, office, employment, and various residential densities to preserve and revitalize the downtown area. See Downtown South-Arizona Avenue Area Plan for more specific land use descriptions.

AIRPARK AREA *
 A mix of employment, commercial, residential densities, and open space within the Airpark Area designated to be compatible with the Chandler Municipal Airport. See the Chandler Airport Area Plan for more specific land use descriptions.

SOUTHEAST CHANDLER AREA *
 Predominantly rural and low density residential land uses that respect and protect the rural/agrarian lifestyle of the area. See Southeast Chandler Area Plan for more specific land use descriptions.

SCHOOLS
 Public elementary, middle, high school, and community college.

* See Note #2

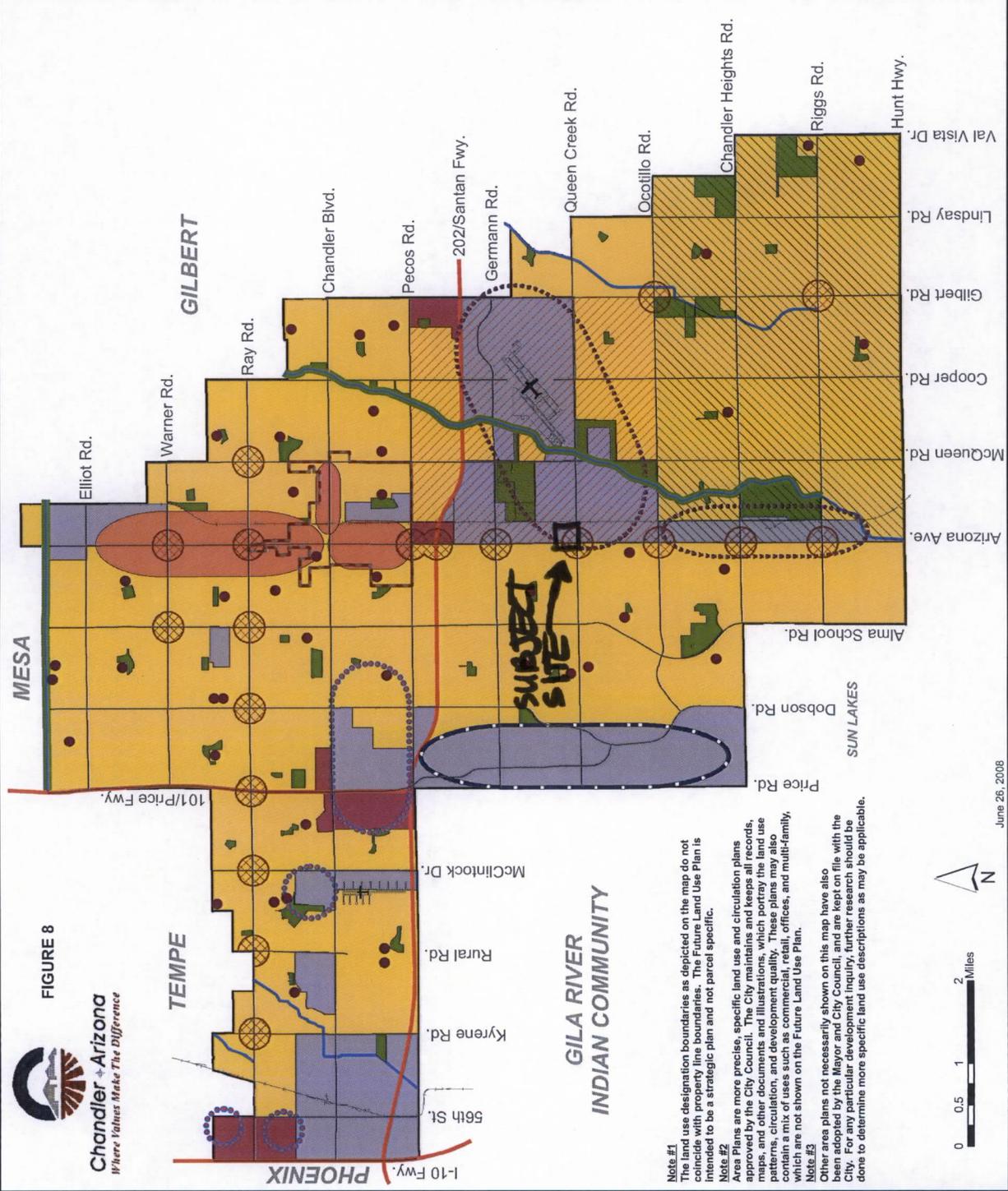
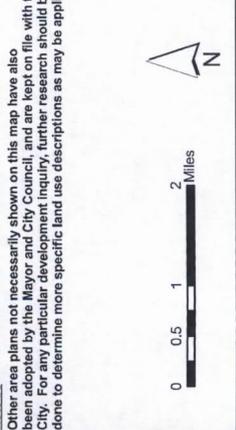


FIGURE 8
Chandler + Arizona
Where Values Make The Difference

Note #1
 The land use designation boundaries as depicted on the map do not coincide with property line boundaries. The Future Land Use Plan is intended to be a strategic plan and not parcel specific.

Note #2
 Area Plans are more precise, specific land use and circulation plans approved by the City Council. The City maintains and keeps all records, maps, and other documents and illustrations, which portray the land use patterns, circulation, and development quality. These plans may also contain a mix of uses such as commercial, retail, offices, and multi-family, which are not shown on the Future Land Use Plan.

Note #3
 Other area plans not necessarily shown on this map have also been adopted by the Mayor and City Council, and are kept on file with the City. For any particular development inquiry, further research should be done to determine more specific land use descriptions as may be applicable.



June 26, 2008

General Plan Land Use Map

This map is only one portion of the complete and final Chandler Airport Area Plan produced by BRW and adopted by the Chandler City Council on November 5, 1998. This map is not exclusive information regarding Chandler's Airport Area Plan and should not be viewed as such. The complete Chandler Airport Area Plan document contains detailed information and descriptions of each land use category as well as more information about the land use, transportation, infrastructure and economic development elements planned for this area.

CHANDLER AIRPARK Area Plan

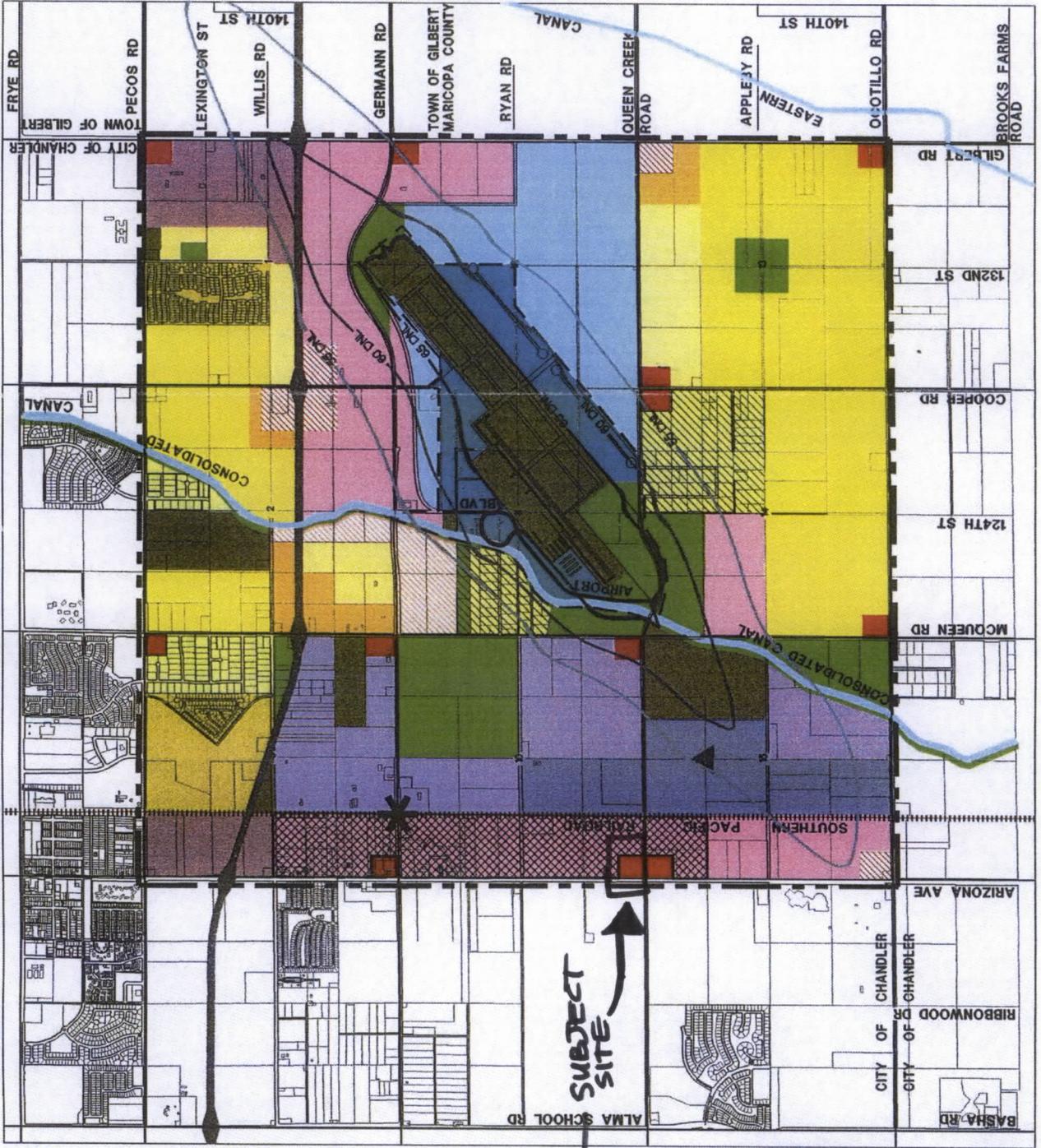
FINAL LAND USE PLAN

■	R1 (0-15 D.U. PER ACRE) 500 ACRES
■	LDR (0-9 D.U. PER ACRE) 1280 ACRES
■	LMDR (3.6-9 D.U. PER ACRE) 240 ACRES
■	MDR (6.1-12 D.U. PER ACRE) 200 ACRES
■	HFR (12.1-18 D.U. PER ACRE) 160 ACRES
■	NEIGHBORHOOD COMMERCIAL 10 ACRES
■	COMMUNITY COMMERCIAL 75 ACRES
■	REGIONAL COMMERCIAL 240 ACRES
■	SPECIAL USE COMMERCIAL 100 ACRES
■	COMMERCIAL/OFFICE/BUSINESS PARK 848 ACRES
■	LIGHT INDUSTRIAL 800 ACRES
■	INDUSTRIAL 230 ACRES
■	COMMERCIAL/OFFICE/BUSINESS PARK (TAXWAY ACCESS) 440 ACRES
■	AEROSPACE INDUSTRY (FBO) 287 ACRES
■	PUBLIC / SEMI-PUBLIC FACILITIES 470 ACRES
■	PARKS AND OPEN SPACE 500 ACRES
■	TRANSITIONAL OVERLAY ZONE (TO ANY COMMERCIAL USE) 250 ACRES
■	FUTURE AIRPORT OVERLAY FLIGHT SERVICE CENTER OVERLAY MIXED USE 250 ACRES
■	FUTURE TRANSIT CENTER
■	POTENTIAL FUTURE TRANSIT RAILYARD
■	LOOP 202 BANTAN FREEWAY TENTATIVE ALIGNMENT
■	-55 DNL- NOISE CONTOUR 55
■	-60 DNL- NOISE CONTOUR 60
■	-65 DNL- NOISE CONTOUR 65 OR GREATER
■	AIRPORT BOUNDARY
■	STUDY AREA BOUNDARY AND AIRPORT OVERLAY DISTRICT

NOTE: DNL IS THE AVERAGE DAY/NIGHT NOISE LEVEL MEASURED IN DECIBELS. NOISE EXPOSURE IS FOR 2020 LEVELS.

SOURCE: BRW 898

GRAPHIC SCALE
0 1000 2000 4000 8000
feet
1 inch = 2000 ft.



AIRPARK AREA PLAN
 PREPARED BY BRW
 DATE: OCT 12, 1998
 SCALE: 1" = 2000'

RESOLUTION NO. 4761

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, ADOPTING AN AMENDMENT TO THE "AIRPARK AREA PLAN" FROM (NEIGHBORHOOD COMMERCIAL AND COMMERCIAL/OFFICE/BUSINESS PARK WITH A LIGHT RAIL CORRIDOR OVERLAY) TO (LOW-MEDIUM DENSITY RESIDENTIAL) ON PROPERTY LOCATED AT THE NORTHEAST CORNER OF ARIZONA AVENUE AND QUEEN CREEK ROAD.

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 at the northeast corner of Arizona Avenue and Queen Creek Road; 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 Plans that address distinct characteristics and support unique land use planning for each area; and

WHEREAS, an existing area plan, the "Airpark Area Plan", has been adopted for the area bounded by Arizona Avenue, Gilbert Road, Pecos Road, and Ocotillo Road;

WHEREAS, the applicant prepared this amendment to the existing "Airpark 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 "Airpark Area Plan", as presented to the Planning and Zoning Commission and denied at their public hearing held on April 16, 2014, 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 _____, 2014.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Resolution No. 4761 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 _____, 2014, and that a quorum was present thereat.

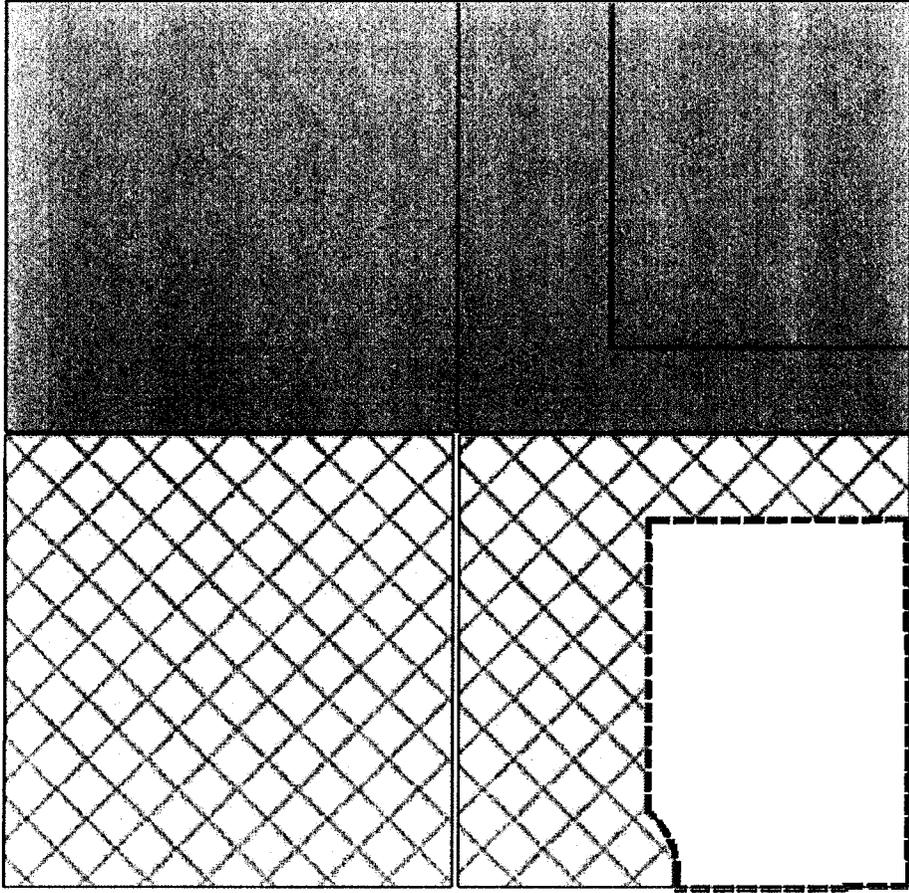
CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

GAB

Resol. 4761
APL 14-0002



PROPOSED:
LOW MEDIUM DENSITY RESIDENTIAL (LMDR)
3.6-8.0 DU/AC



Arizona Avenue and Queen Creek
Proposed Area Plan



andersonbaron
plan · design · achieve
50 N. McClintock Drive, Ste 1
Chandler, Arizona 85226
p.h. 480.699.7956 f.480.699.7986

plan scale NTS date: 03.05.14

ORDINANCE NO. 4536

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM PAD (COMMERCIAL/OFFICE/BUSINESS PARK) TO PAD (LOW-MEDIUM DENSITY RESIDENTIAL) IN CASE (DVR13-0042 ARIZONA AVENUE & QUEEN CREEK ROAD) 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 (Commercial/Office/Business Park) to PAD (Low-Medium Density Residential), subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "ARIZONA AVENUE & QUEEN CREEK ROAD", kept on file in the City of Chandler Planning Division, in File No. DVR13-0042, 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. 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.
7. 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.
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. 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.

11. The following stipulations shall be the responsibilities of the subdivider/homebuilder/developer and shall not be construed as a guarantee of disclosure by the City of Chandler:
- a) Prior to any lot reservation or purchase agreement, any and all prospective homebuyers shall be given a separate disclosure statement, for their signature, fully acknowledging that this subdivision lies within the Chandler Municipal Airport Impact Overlay District, as specified in the Chandler Zoning Code. The disclosure statement shall acknowledge the proximity of this subdivision to the Chandler Airport and that an avigational easement exists and/or is required on the property, and further, shall acknowledge that the property is subject to aircraft noise and overflight activity. This document signed by the homebuyer shall be recorded with Maricopa County Records Office upon sale of the property.
 - b) The subdivider/homebuilder/developer shall also display, in a conspicuous place within the sales office, a map illustrating the location of the subdivision within the Airport Impact Overlay District, as well as the noise contours and overflight patterns, as identified and depicted in the document entitled Chandler Municipal Airport, F. A. R. Part 150, Noise Compatibility Study, Noise Compatibility Program, Exhibit 6A (Potential Airport Influence Area), as adopted by the Chandler City Council (Resolution No. 2950, 11-5-98). Such map shall be a minimum size of 24" x 36".
 - c) The above referenced information shall also be included within the Subdivision Public Report to be filed with the State of Arizona Department of Real Estate, as required by Arizona Revised Statute 28-8486 and Arizona Revised Statute 28-8464.
 - d) Compliance with this condition shall be demonstrated by the subdivider/homebuilder/developer by submittal of a signed affidavit and photograph that acknowledges this disclosure and map display prior to beginning any sales activity. Failure to comply with this condition will result in revocation of the Administrative Use Permit for the temporary sales office. All requirements as set forth in this condition are the obligation of the subdivider/homebuilder/developer and shall not be construed as a guarantee of disclosure by the City of Chandler.
 - e) The subdivider/homebuilder/developer shall provide the City with an avigational easement over the subject property in accordance with Section 3004 of the City of Chandler Zoning Code.

- f) All homes and buildings shall be designed and built to achieve an interior noise level not to exceed 45 decibels (Ldn) from aircraft noise. A professional acoustical consultant, architect or engineer shall certify that the project's construction plans are in conformance with this condition.
- g) The Final Plat shall contain the following statement on the cover sheet in a prominent location and in large text:

“This property is located within the Chandler Municipal Airport Impact Overlay District and is subject to aircraft noise and overflight activity, and is encumbered by an avigational easement to the City of Chandler.”

12. 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 a heliport at the Chandler Municipal Airport 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 a heliport, and the disclosure shall state that such uses are legal and should be expected to continue indefinitely. The disclosure shall be presented to prospective homebuyers on a separate, single form for them to read and sign prior to or simultaneously with executing a purchase agreement. 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.
13. 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 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. 4536 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 *GAP*

PUBLISHED:

Attachment 'A'
Ord. 4536



EXHIBIT "A"

LOT 2, ARCHSTONE VILLAGE CROSSING AT CHANDLER, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 1132 OF MAPS, PAGE 1.

