

#4  
AUG 11 2014

**ORDINANCE NO. 4552**

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 CONDOMINIUMS TO PAD FOR SINGLE-FAMILY RESIDENTIAL IN CASE (DVR14-0001 LONE TREE) 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 Condominiums to PAD for Single-Family Residential, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "LONE TREE" and kept on file in the City of Chandler Planning Division, in File No. DVR14-0001, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
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. 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.
6. Construction shall commence above foundation walls within three (3) years of the 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.
7. 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.
8. Prior to the time of making any lot reservations or subsequent sales agreements, the homebuilder/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 ranchette and animal privilege properties 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 agricultural properties that have horse and animal privileges and shall state that such uses are legal and should be expected to continue indefinitely. This responsibility for notice rests with the home builder/lot developer, and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.
9. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual #4).

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 Division 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. 4552 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:

# EXHIBIT 'A'

## LEGAL DESCRIPTION: PER NOTED TITLE REPORT

### PARCEL NO. 1:

THAT PART OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 2 SOUTH, RANGE 6 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 31; THENCE SOUTH 00 DEGREES 24 MINUTES 29 SECONDS EAST, ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION, A DISTANCE OF 94.61 FEET; THENCE DEPARTING SAID LINE SOUTH 89 DEGREES 36 MINUTES 31 SECONDS WEST, A DISTANCE OF 65.00 FEET TO A POINT ON THE PROPOSED WESTERLY RIGHT-OF-WAY LINE OF LINDSAY ROAD, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING; THENCE ALONG THE PROPOSED WESTERLY RIGHT-OF-WAY LINE OF SAID LINDSAY ROAD THE FOLLOWING THREE COURSES: THENCE SOUTH 00 DEGREES 24 MINUTES 29 SECONDS EAST, A DISTANCE OF 180.00 FEET; THENCE NORTH 89 DEGREES 35 MINUTES 31 SECONDS WEST, A DISTANCE OF 1020.03 FEET; THENCE DEPARTING SAID WESTERLY LINE, SOUTH 89 DEGREES 35 MINUTES 31 SECONDS WEST, A DISTANCE OF 450.00 FEET; THENCE NORTH 00 DEGREES 24 MINUTES 31 SECONDS WEST, A DISTANCE OF 5.68 FEET; THENCE SOUTH 89 DEGREES 35 MINUTES 31 SECONDS WEST, A DISTANCE OF 95.00 FEET; THENCE NORTH 00 DEGREES 24 MINUTES 29 SECONDS WEST, A DISTANCE OF 70.23 FEET TO THE BEGINNING OF A TANGENT CURVE OF 50.00 FOOT RADIUS, CONCAVE SOUTHWESTERLY; THENCE NORTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 140 DEGREES 24 MINUTES 07 SECONDS, A DISTANCE OF 122.52 FEET; THENCE NORTH 50 DEGREES 48 MINUTES, 36 SECONDS WEST, A DISTANCE OF 25.67 FEET; THENCE NORTH 04 DEGREES 51 MINUTES 02 SECONDS WEST, A DISTANCE OF 631.27 FEET; THENCE NORTH 30 DEGREES 13 MINUTES 50 SECONDS WEST, A DISTANCE OF 259.37 FEET TO THE BEGINNING OF A NON-TANGENT CURVE OF 114.00 FOOT RADIUS, CONCAVE NORTHWESTERLY, WITH A RADIAL BEARING OF NORTH 33 DEGREES 19 MINUTES 36 SECONDS WEST; THENCE NORTHEASTERLY, ALONG SAID CURVE THROUGH THE CENTRAL ANGLE OF 57 DEGREES 06 MINUTES 55 SECONDS, A DISTANCE OF 113.64 FEET; THENCE NORTH 00 DEGREES 03 MINUTES 41 SECONDS WEST, A DISTANCE OF 142.73 FEET TO A POINT ON A LINE WHICH IS PARALLEL WITH AND 83.00 FEET SOUTH, AS MEASURED AT RIGHT ANGLES FROM THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION; THENCE NORTH 89 DEGREES 56 MINUTES 19 SECONDS EAST, ALONG SAID PARALLEL LINE A DISTANCE OF 425.16 FEET; THENCE SOUTH 45 DEGREES 03 MINUTES 41 SECONDS EAST, A DISTANCE OF 14.14 FEET TO A POINT ON A LINE WHICH IS PARALLEL WITH AND 93.00 FEET SOUTHERLY, AS MEASURE AT RIGHT ANGLE FROM THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION; THENCE 89 DEGREES 56 MINUTES 19 SECONDS EAST, ALONG SAID PARALLEL LINE, A DISTANCE OF 330.56 FEET; THENCE SOUTH 45 DEGREES 14 MINUTES 05 SECONDS EAST, A DISTANCE OF 2.84 FEET TO THE POINT OF BEGINNING.

EXCEPT THAT PORTION OF THE EAST 65.00 FEET OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 2 SOUTH, RANGE 6 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, CONVEYED TO THE CITY OF CHANDLER, AN ARIZONA MUNICIPAL CORPORATION BY DEED RECORDED SEPTEMBER 23, 2008 AS 2008-821606, OF OFFICIAL RECORDS, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 31; THENCE SOUTH 00 DEGREES 24 MINUTES 21 SECONDS EAST, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 94.61 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF RIGGS ROAD AS SHOWN ON SPRINGFIELD LAKES UNIT ONE, ACCORDING TO BOOK 534 OF MAPS, PAGE 17, RECORDS OF MARICOPA COUNTY, ARIZONA; THENCE SOUTH 89 DEGREES 35 MINUTES 36 SECONDS WEST, A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 00 DEGREES 24 MINUTES 21 SECONDS EAST, BEING PARALLEL WITH AND 33.00 FEET WEST OF SAID EAST LINE A DISTANCE OF 1,200.03 FEET; THENCE SOUTH 89 DEGREES 35 MINUTES 39 SECONDS WEST, A DISTANCE OF 22.00 FEET; THENCE NORTH 00 DEGREES 24 MINUTES 21 SECONDS WEST, BEING PARALLEL WITH AND 55.00 FEET WEST OF SAID EAST LINE, A DISTANCE OF 584.51 FEET; THENCE SOUTH 89 DEGREES 35 MINUTES 39 SECONDS WEST, A DISTANCE OF 6.00 FEET; THENCE NORTH 00 DEGREES 24 MINUTES 21 SECONDS WEST, BEING PARALLEL WITH AND 61.00 FEET WEST OF SAID EAST LINE, A DISTANCE OF 435.52 FEET; THENCE SOUTH 89 DEGREES 35 MINUTES 39 SECONDS WEST, A DISTANCE OF 4.00 FEET; THENCE NORTH 00 DEGREES 24 MINUTES 21 SECONDS WEST, BEING PARALLEL WITH AND 65.00 FEET WEST OF SAID EAST LINE, A DISTANCE OF 180.00 FEET TO A POINT ON SAID SOUTHERLY RIGHT-OF-WAY LINE OF RIGGS ROAD; THENCE NORTH 89 DEGREES 35 MINUTES 36 SECONDS EAST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 32.00 FEET TO THE POINT OF BEGINNING.

### PARCEL NO. 2:

TRACT BMF-1, SPRINGFIELD LAKES UNIT ONE, ACCORDING TO THE PLAT RECORDED IN BOOK 534 OF MAPS, PAGE 17, AND AFFIDAVIT OF CORRECTION RECORDED IN DOCUMENT NO. 2002-0346759, RECORDS OF MARICOPA COUNTY, ARIZONA.

EXCEPT THAT PORTION OF TRACT BMF-1, CONVEYED TO THE CITY OF CHANDLER, AN ARIZONA MUNICIPAL CORPORATION, BY DEED RECORDED SEPTEMBER 23, 2008 AS 2008-821607, OF OFFICIAL RECORDS, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 31; THENCE SOUTH 00 DEGREES 24 MINUTES 21 SECONDS EAST, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 94.61 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF RIGGS ROAD AS SHOWN ON SAID SPRINGFIELD LAKES UNIT ONE; THENCE SOUTH 89 DEGREES 35 MINUTES 36 SECONDS WEST, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 65.00 FEET; THENCE NORTH 45 DEGREES 14 MINUTES 02 SECONDS WEST, A DISTANCE OF 28.37 FEET; THENCE SOUTH 89 DEGREES 56 MINUTES 18 SECONDS WEST, BEING PARALLEL WITH AND 75.00 FEET SOUTH OF THE NORTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 305.00 FEET; THENCE NORTH 00 DEGREES 03 MINUTES 42 SECONDS WEST, A DISTANCE OF 10.00 FEET; THENCE SOUTH 89 DEGREES 56 MINUTES 18 SECONDS WEST, BEING PARALLEL WITH AND 65.00 FEET SOUTH OF SAID NORTH LINE, A DISTANCE OF 237.86 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 00 DEGREES 03 MINUTES 42 SECONDS EAST, A DISTANCE OF 6.00 FEET; THENCE SOUTH 89 DEGREES 56 MINUTES 18 SECONDS WEST, BEING PARALLEL WITH AND 71.00 FEET SOUTH OF SAID NORTH LINE, A DISTANCE OF 204.76 FEET; THENCE NORTH 00 DEGREES 03 MINUTES 42 SECONDS WEST, ALONG THE PROLONGATED EASTERLY LINE OF TRACT BMF-2 AS SHOWN ON SAID SPRINGFIELD LAKES UNIT ONE, A DISTANCE OF 6.00 FEET TO A POINT ON SAID RIGHT-OF-WAY LINE; THENCE NORTH 89 DEGREES 56 MINUTES 18 SECONDS EAST, ALONG SAID RIGHT-OF-WAY LINE BEING PARALLEL WITH AND 65.00 FEET SOUTH OF SAID NORTH LINE, A DISTANCE OF 204.76 FEET TO THE POINT OF BEGINNING;

PARCEL NO. 3:

THAT PART OF THE NORTHEAST QUARTER OF SECTION 31 TOWNSHIP 2 SOUTH RANGE 6 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 31; THENCE SOUTH 00 DEGREES 24 MINUTES 29 SECONDS EAST ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 31, A DISTANCE OF 94.61 FEET TO THE TRUE POINT OF BEGINNING; THENCE DEPARTING SAID LINE SOUTH 89 DEGREES 35 MINUTES 31 SECONDS WEST, A DISTANCE OF 65.00 FEET TO A POINT ON THE PROPOSED WESTERLY RIGHT-OF-WAY LINE OF LINDSAY ROAD; THENCE ALONG THE PROPOSED WESTERLY RIGHT-OF-WAY LINE OF SAID LINDSAY ROAD THE FOLLOWING THREE (3) COURSES: THENCE SOUTH 00 DEGREES 24 MINUTES 29 SECONDS EAST A DISTANCE OF 180.00 FEET; THENCE NORTH 89 DEGREES 35 MINUTES 31 SECONDS EAST A DISTANCE OF 10.00 FEET; THENCE SOUTH 00 DEGREES 24 MINUTES 29 SECONDS EAST A DISTANCE OF 1020.03 FEET; THENCE DEPARTING SAID WESTERLY LINE NORTH 89 DEGREES 35 MINUTES 31 SECONDS EAST A DISTANCE OF 55.00 FEET TO THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 31; THENCE NORTH 00 DEGREES 24 MINUTES 29 SECONDS WEST, ALONG SAID EAST LINE, A DISTANCE OF 1200.03 FEET TO THE TRUE POINT OF BEGINNING;

EXCEPT THAT PORTION OF THE EAST 65.00 FEET OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 2 SOUTH, RANGE 6 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, CONVEYED TO THE CITY OF CHANDLER, AN ARIZONA MUNICIPAL CORPORATION BY DEED RECORDED SEPTEMBER 23, 2008 AS 2008-821606, OF OFFICIAL RECORDS, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 31; THENCE SOUTH 00 DEGREES 24 MINUTES 21 SECONDS EAST, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 94.61 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF RIGGS ROAD AS SHOWN ON SPRINGFIELD LAKES UNIT ONE, ACCORDING TO BOOK 534 OF MAPS, PAGE 17, RECORDS OF MARICOPA COUNTY, ARIZONA; THENCE SOUTH 89 DEGREES 35 MINUTES 36 SECONDS WEST, A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 00 DEGREES 24 MINUTES 21 SECONDS EAST, BEING PARALLEL WITH AND 33.00 FEET WEST OF SAID EAST LINE A DISTANCE OF 1,200.03 FEET; THENCE SOUTH 89 DEGREES 35 MINUTES 39 SECONDS WEST, A DISTANCE OF 22.00 FEET; THENCE NORTH 00 DEGREES 24 MINUTES 21 SECONDS WEST, BEING PARALLEL WITH AND 55.00 FEET WEST OF SAID EAST LINE, A DISTANCE OF 584.51 FEET; THENCE SOUTH 89 DEGREES 35 MINUTES 39 SECONDS WEST, A DISTANCE OF 6.00 FEET; THENCE NORTH 00 DEGREES 24 MINUTES 21 SECONDS WEST, BEING PARALLEL WITH AND 61.00 FEET WEST OF SAID EAST LINE, A DISTANCE OF 435.52 FEET; THENCE SOUTH 89 DEGREES 35 MINUTES 39 SECONDS WEST, A DISTANCE OF 4.00 FEET; THENCE NORTH 00 DEGREES 24 MINUTES 21 SECONDS WEST, BEING PARALLEL WITH AND 65.00 FEET WEST OF SAID EAST LINE, A DISTANCE OF 180.00 FEET TO A POINT ON SAID SOUTHERLY RIGHT-OF-WAY LINE OF RIGGS ROAD; THENCE NORTH 89 DEGREES 35 MINUTES 36 SECONDS EAST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 32.00 FEET TO THE POINT OF BEGINNING.