

#6

OCT 20 2014

ORDINANCE NO. 4569

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM AG-1 (AGRICULTURAL DISTRICT) TO PAD (COMMERCIAL) IN CASE (DVR14-0014 NEC LOOP 202 & ALMA SCHOOL 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 AG-1 (Agricultural District) to PAD (Commercial), subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "NEC SR202 and Alma School Road DVR14-0013 and DVR14-0014", kept on file in the City of Chandler Planning Division, in File No. DVR14-0014, except as modified by condition herein.

2. The rezoning request does not include a specified timing condition. This includes relief of the 1-year timing condition from the effective date of the ordinance as specified in the City Code section 35-2603.B.
3. The rezoning reestablishes the Preliminary Development Plan (PDP) for a commercial center as represented in zoning case PDP08-0005.

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. 4569 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 *KSM*

PUBLISHED:

Attachment 'A', ord. 4569
"2 Acres Legal Description"

PARCEL NO. 2:

THAT PORTION OF GOVERNMENT LOT 4 OF SECTION 4, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 4;

THENCE SOUTH 01 DEGREES 00 MINUTES 47 SECONDS EAST ALONG THE WEST LINE THEREOF, A DISTANCE OF 1099.15 FEET TO THE SOUTH LINE OF THAT CERTAIN REAL PROPERTY MORE PARTICULARLY DESCRIBED IN INSTRUMENT RECORDED IN DOCUMENT NUMBER 2001-1239180 RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE NORTH 89 DEGREES 19 MINUTES 13 SECONDS EAST ALONG SAID SOUTH LINE, A DISTANCE OF 89.81 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROUTE 202 AS SET FORTH IN INSTRUMENT RECORDED IN DOCUMENT NO. 2002-1219479 RECORDS OF MARICOPA COUNTY, ARIZONA, SAID POINT BEING THE TRUE POINT OF BEGINNING OF THE HEREINAFTER DESCRIBED PARCEL OF LAND;

THENCE CONTINUING NORTH 89 DEGREES 19 MINUTES 13 SECONDS EAST ALONG SAID SOUTH LINE, A DISTANCE OF 568.90 FEET TO THE WEST LINE OF LOT 1 PECOS SPRINGS BEING A MINOR LAND DIVISION MAP RECORDED IN BOOK 580 OF MAPS, PAGE 41 RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE SOUTH 00 DEGREES 58 MINUTES 18 SECONDS EAST ALONG SAID WEST LINE, A DISTANCE OF 186.07 FEET TO THE AFORESAID NORTHERLY RIGHT-OF-WAY LINE OF STATE ROUTE 202;

THENCE NORTH 77 DEGREES 21 MINUTES 16 SECONDS WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 244.88 FEET;

THENCE CONTINUE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE NORTH 87 DEGREES 12 MINUTES 09 SECONDS WEST, A DISTANCE OF 286.90 FEET;

THENCE CONTINUE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE NORTH 27 DEGREES 14 MINUTES 54 SECONDS WEST, A DISTANCE OF 98.24 FEET;

THENCE CONTINUE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE NORTH 03 DEGREES 37 MINUTES 07 SECONDS WEST, A DISTANCE OF 24.40 FEET TO THE TRUE POINT OF BEGINNING;

EXCEPT THAT PORTION DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION FROM WHICH THE WEST QUARTER CORNER OF SAID SECTION BEARS ASSUMED SOUTH 01 DEGREES 00 MINUTES 47 SECONDS EAST, (BASIS OF BEARING);

THENCE SOUTH 01 DEGREES 00 MINUTES 47 SECONDS EAST ALONG THE WEST LINE OF SAID LOT 4, A DISTANCE OF 1096.81 FEET;

Attachment 'A', Ord. 4569
"2 Acres Legal Description"

THENCE LEAVING SAID WEST LINE NORTH 88 DEGREES 59 MINUTES 13 SECONDS EAST, A DISTANCE OF 89.63 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF THE ALMA SCHOOL ROAD INTERCHANGE OF THE SANTAN FREEWAY, AND THE POINT OF BEGINNING;

THENCE SOUTH 44 DEGREES 58 MINUTES 56 SECONDS EAST, 29.94 FEET;

THENCE SOUTH 27 DEGREES 14 MINUTES 54 SECONDS EAST, 83.18 FEET;

THENCE SOUTH 87 DEGREES 12 MINUTES 09 SECONDS EAST, 277.09 FEET;

THENCE SOUTH 77 DEGREES 21 MINUTES 16 SECONDS EAST, 221.18 FEET;

THENCE NORTH 00 DEGREES 58 MINUTES 18 SECONDS WEST, 142.92 FEET;

THENCE NORTH 89 DEGREES 23 MINUTES 03 SECONDS EAST, 20.00 FEET;

THENCE SOUTH 00 DEGREES 58 MINUTES 18 SECONDS EAST, 168.22 FEET;

THENCE NORTH 77 DEGREES 21 MINUTES 16 SECONDS WEST, 244.88 FEET;

THENCE NORTH 87 DEGREES 12 MINUTES 09 SECONDS WEST, 286.90 FEET;

THENCE NORTH 27 DEGREES 14 MINUTES 54 SECONDS WEST 98.24 FEET;

THENCE NORTH 03 DEGREES 43 MINUTES 14 SECONDS WEST, 27.26 FEET TO SAID POINT OF BEGINNING.

EXCEPT ALL MINERALS AS SET FORTH IN SPECIAL WARRANTY DEED RECORDED JULY 10, 2006 AS 2006-920478, OF OFFICIAL RECORDS.

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EXCEPT FROM PARCELS 1 AND 2 ABOVE THOSE PORTIONS LYING WITHIN THE PROPERTY SET FORTH IN BOOK 161 OF DEEDS, PAGE 515.