

#7
OCT 20 2014

ORDINANCE NO. 4570

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL PLANNED AREA DEVELOPMENT (PAD) FOR OFFICE TO PAD HOTEL IN CASE DVR14-0006 (BELLA ROSE INN) 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 office to PAD for hotel, subject to the following conditions:

1. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
2. 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.

3. 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.
4. 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.
5. Development shall be in substantial conformance with the Development Booklet, entitled "BELLA ROSE INN" and kept on file in the City of Chandler Planning Division, in File No. DVR14-0006, 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.
6. Maximum building height shall be limited to 75 feet.

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. 4570 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:

LEGAL DESCRIPTION

EXHIBIT 'A'

PARCEL NO. 1:

THAT PART OF LOT 5, SECTION 6, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SECTION 6, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

THENCE NORTH (ASSUMED BEARING) ALONG THE WEST LINE OF SAID SECTION 6, A DISTANCE OF 450.42 FEET;

THENCE NORTH 89° 15' EAST, BEING PARALLEL TO AND 450.42 FEET NORTH OF THE EAST-WEST MID-SECTION LINE OF SAID SECTION 6, A DISTANCE OF 33.00 FEET TO A POINT OF BEGINNING;

THENCE NORTH PARALLEL TO SAID WEST LINE OF SECTION 6, A DISTANCE OF 208.71 FEET;

THENCE NORTH 89° 15' EAST, PARALLEL TO SAID EAST-WEST MID-SECTION LINE OF SECTION 6, A DISTANCE OF 208.71 FEET;

THENCE SOUTH, PARALLEL TO SAID WEST LINE OF SECTION 6, A DISTANCE OF 208.71 FEET;

THENCE SOUTH 89° 15' WEST, BEING PARALLEL TO AND 450.42 FEET NORTH OF SAID EAST-WEST MID-SECTION LINE, A DISTANCE OF 208.71 FEET TO A POINT OF BEGINNING.

PARCEL NO. 2:

THAT PART OF ABANDONED PRICE STREET AS ABANDONED BY ORDINANCE RECORDED IN DOCUMENT NO. 86-539156, RECORDS OF MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

THAT PART OF LOT 5, SECTION 6, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SECTION 6, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

THENCE NORTH (ASSUMED BEARING) ALONG THE WEST LINE OF SAID SECTION 6, A DISTANCE OF 450.42 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 89° 15' EAST, BEING PARALLEL TO AND 450.42 FEET OF THE EAST-WEST MID-SECTION LINE OF SAID SECTION 6, A DISTANCE OF 33.00 FEET;

THENCE NORTH PARALLEL TO SAID WEST LINE OF SECTION 6, A DISTANCE OF 208.71 FEET;

THENCE SOUTH 89° 15' WEST, PARALLEL TO SAID EAST-WEST MID-SECTION LINE OF SECTION 6, A DISTANCE OF A 33.00 FEET TO SAID WEST LINE OF SECTION 6;

THENCE SOUTH, ALONG SAID WEST LINE, A DISTANCE OF 208.71 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL NO. 3:

THAT PART OF LOT 5, SECTION 6, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SECTION 6, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

THENCE NORTH (ASSUMED BEARING) ALONG THE WEST LINE OF SAID SECTION 6, A DISTANCE OF 241.71 FEET;

THENCE NORTH 89° 15' EAST, BEING PARALLEL TO AND 241.71 FEET NORTH OF THE EAST-WEST MID-SECTION LINE OF SAID SECTION 6, A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING;

THENCE NORTH PARALLEL TO SAID WEST LINE OF SECTION 6, A DISTANCE OF 208.71 FEET;

THENCE NORTH 89° 15' EAST, PARALLEL TO SAID EAST-WEST MID-SECTION LINE OF SECTION 6, A DISTANCE OF 208.71 FEET;

THENCE SOUTH, PARALLEL TO SAID WEST LINE OF SECTION 6, A DISTANCE OF 208.71 FEET;

THENCE SOUTH 89° 15' WEST, BEING PARALLEL TO AND 241.71 FEET NORTH OF SAID EAST-WEST MID-SECTION LINE, A DISTANCE OF 208.71 FEET TO THE POINT OF BEGINNING.

PARCEL NO. 4:

THAT PART OF ABANDONED PRICE STREET AS ABANDONED BY ORDINANCE RECORDED IN DOCUMENT NO. 86-539156, RECORDS OF MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

THAT PART OF LOT 5, SECTION 6, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SECTION 6, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

THENCE NORTH (ASSUMED BEARING) ALONG THE WEST LINE OF SAID SECTION 6, A DISTANCE OF 241.71 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 89° 15' EAST, BEING PARALLEL TO AND 241.71 FEET NORTH OF THE EAST-WEST MID-SECTION LINE OF SAID SECTION 6, A DISTANCE OF 33.00 FEET;

THENCE NORTH PARALLEL TO SAID WEST LINE OF SECTION 6, A DISTANCE OF 208.71 FEET;

THENCE SOUTH 89° 15' WEST, BEING PARALLEL TO SAID EAST-WEST MID-SECTION LINE OF SECTION 6, A DISTANCE OF 33.00 FEET TO SAID WEST LINE OF SECTION 6;

THENCE SOUTH ALONG SAID WEST LINE, A DISTANCE OF 208.71 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL NO. 5:

COMMENCING AT THE WEST QUARTER CORNER OF SECTION 6, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

THENCE NORTH (ASSUMED BEARING) ALONG THE WEST LINE OF SAID SECTION 6, A DISTANCE OF 33.00 FEET;

THENCE NORTH 89° 15' EAST, BEING PARALLEL TO AND 33.00 FEET NORTH OF THE EAST-WEST MID-SECTION LINE OF SAID SECTION 6, A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING;

THENCE NORTH PARALLEL TO SAID WEST LINE OF SECTION 6, A DISTANCE OF 208.71 FEET;

THENCE NORTH 89° 15' EAST, PARALLEL TO SAID EAST-WEST MID-SECTION LINE OF SECTION 6 A DISTANCE OF 208.71 FEET;

THENCE SOUTH PARALLEL TO SAID WEST LINE OF SECTION 6 A DISTANCE OF 208.71 FEET;

THENCE SOUTH 89° 15' WEST, BEING PARALLEL TO AND 33.00 FEET NORTH OF SAID EAST-WEST MID-SECTION LINE, A DISTANCE OF 208.71 FEET TO THE POINT OF BEGINNING.

PARCEL NO. 6:

THAT PART OF ABANDONED PRICE STREET AS ABANDONED BY ORDINANCE RECORDED IN DOCUMENT NO. 86-539156, RECORDS OF MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

THE WEST 33 FEET OF THE NORTH 208.71 FEET OF THE SOUTH 241.71 FEET OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 6, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.