

Add info #5

OCT 23 2014

Rick,

Well, it's been a while...and I hope all's well with you, your family and the City of Chandler.

I wanted to bring a situation to your attention regarding an application for a gas station/car wash at the southeast corner of Alma School and Pecos. I'm fairly certain that this application is on the consent agenda for this week's council meeting. My issue with this application is the fact that this station is allowed to have eight gasoline dispensers with a front facing layout. If you remember when we went through the process we were restricted to six gasoline dispensers, and the Chevron station across the street was forced to reverse its layout. In the meantime the Quick Trip on Arizona Avenue was allowed to have 10 dispensers, also with a front facing layout.

My concern is that the City may not realize the competitive disadvantage it is putting on facilities which were burdened with the more restrictive designs. Gasoline purchases are very impulsive by nature, and our facility is always characterized as "very busy", which is partly due to the six dispenser situation. This is not a good situation for us, as customers will just bypass us to go to a station which seems less crowded, and is more visible.

Tuck and I did attend the P&Z meeting and addressed this issue with the Commission. They indicated that we should bring the issue up with the City Council. So here I am, with a late request that this new facility be limited to the same six dispensers that we have to live with. Chandler is a great city, and we couldn't be happier to represent ourselves at Alma School and Germann. My hope is that the City sees wisdom not providing larger bats to the new players in the gasoline marketing game.

Thanks for listening!

Mike Cahill
Cobblestone Auto Spa and Market
602-561-8066

#5
OCT 23 2014



MEMORANDUM **Planning Division – CC Memo No. 14-112**

DATE: OCTOBER 23, 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 ^{JK}

FROM: JODIE M. NOVAK, MEP, SENIOR CITY PLANNER ^{JMN}

SUBJECT: DVR14-0003 PACIFIC OIL PARTNERS
Introduction and Tentative Adoption of Ordinance No. 4576

Request: Action on the existing Planned Area Development (PAD) zoning to extend the conditional schedule for development, remove, or determine compliance with the two year schedule for development or to cause the property to revert to the former PAD (Commercial) zoning. Request to revert from PAD (Commercial) zoning in Ordinance No. 3260 (DVR00-0005) to PAD (Commercial) in Ordinance No. 2822 (PL97-199). The reverted zoning establishes community commercial uses including a gas station, convenience store, and car wash uses on approximately 2.5 acres. The request includes Preliminary Development Plan (PDP) for site layout and building design.

Location: Southeast corner of Alma School and Pecos roads

Applicant: K Engineering & Design LLC/Zyg Kwasnica, P.E. and Nicole Lee-Lynam, AIA

Project Info: Approximately 2.5 acres, 4,950 sq. ft. convenience store, 3,563 sq. ft. car wash, and 8 fuel dispensers under a 5,808 sq. ft. canopy

RECOMMENDATION

Upon finding the request to be consistent with the General Plan, Planning Commission and Planning Staff recommend approval subject to conditions.

BACKGROUND

The subject site is an undeveloped property located at the southeast corner of Alma School and Pecos roads. The parcel is approximately 2.5 acres and was previously zoned as part of a larger

planned commercial development. The parcel is surrounded by vacant land to the east and south zoned for commercial use. Further east is an existing apartment development. The northeast and northwest corners of the Alma School and Pecos roads intersection are developing with multi-family residential, Aerie West and Aerie East. Single-family residential subdivisions exist next to the Aerie projects. The southwest corner of the intersection is vacant land zoned for commercial use and an apartment development to the west.

ZONING REVERSION

The property was previously zoned Planned Area Development (PAD) for community commercial (C-2) uses including a gas station with convenience store and a car wash. The rezoning included a Preliminary Development Plan (PDP) for a retail shopping center along with the gas station site on approximately 14 acres. The property abuts a 12-acre undeveloped parcel. This 12-acre parcel used to be a part of the 14-acre retail shopping center plan. Over the years, the 12-acre parcel has been approved different PDP's for a mix of office and retail development.

Recently, the 12-acre parcel was rezoned back to its original PAD zoning in case PL97-199 (Ord. 2822) on 10 acres and a new PAD (C-2) zoning on 2 acres. This reestablished community commercial (C-2) uses and the former PDP case, PDP08-0005, for a mix of office and retail.

The request is to revert the 2.5-acre property's zoning from PAD (Commercial) in Ordinance No. 3260 (DVR00-0005) to PAD (Commercial) in Ordinance No. 2822 (PL97-199). This aligns with the recent zoning reversion on the surrounding 12-acre parcel. The reverted zoning establishes community commercial (C-2) uses including a gas station, convenience store, and car wash uses on approximately 2.5 acres.

PRELIMINARY DEVELOPMENT PLAN

The request includes Preliminary Development Plan (PDP) for site layout and building design. The proposed development includes a 4,950 square foot convenience store, 3,563 square foot car wash, and 8 fuel dispensers under a 5,808 square foot canopy. There is covered parking for employees and customers as well as a covered vacuum area. The site layout is designed to coordinate with the adjacent property's PDP by providing shared access and similar landscaping. Building architecture reflects the materials and forms of the adjacent PDP's office and retail buildings.

The development requests waivers to a few zoning codes in order to accommodate site standards and allow the corner pad to develop prior the larger commercial development. The Zoning Code requires any pad building less than 25,000 square feet in size, within a site less than 10 acres, to develop along with at least 12,000 square feet of additional building area. The development requests to waive this requirement.

The property is located at the intersection of two arterial streets requiring a 50-foot by 250-foot landscape intersection setback. The development requests to waive this requirement allowing a 35-foot by 250-foot landscape intersection setback to provide adequate on-site circulation. The development is providing a greater landscape setback along Alma School Road and additional landscaping within the property. Lastly, the development requests a waiver from applying the

minimum six additional quality standards required for shopping centers, office complexes, and commercial centers given the site's small size.

The proposal includes freestanding monument signage and building mounted signage. There are two freestanding signs, one on each street frontage. Building mounted signage is provided on all three buildings/structures.

DISCUSSION

Planning Commission and Planning Staff support the request to revert the property's PAD (Commercial) zoning in Ordinance No. 3260 (DVR00-0005) to PAD (Commercial) in Ordinance No. 2822 (PL97-199). The reverted zoning establishes community commercial uses including a gas station, convenience store, and car wash uses. The building architecture is creative and atypical which is compatible with the approved architecture on the surrounding parcel. The request for Zoning Code waivers is appropriate given the sites small size and unknown development timing surrounding the parcel.

PUBLIC/NEIGHBORHOOD NOTIFICATION

- The request was noticed in accordance with the requirements of the City of Chandler Zoning Code.
- A neighborhood meeting was held on August 25, 2014. No one attended other than the applicant.
- Planning Staff is aware of opposition/concerns from two areas gas station owners who provided correspondence to Staff. See attachments.

PLANNING COMMISSION VOTE REPORT

Motion to Approve.

In Favor: 6 Opposed: 0 Absent: 1 (Baron)

Two business owners spoke at the meeting with concerns about another gas station and convenience store occurring in the area and requested the site design occur in the same manner as their sites. The speakers represented Cobblestone gas station and car wash at the southeast corner of Alma School and German roads and Chevron at the northwest corner of Alma School and Germann roads. Both business owners' emailed Planning Staff concerns, see attachments.

RECOMMENDED ACTIONS

Zoning Reversion

Upon finding consistency with the General Plan, Planning Commission and Planning Staff recommend approval to cause the property to revert from PAD (Commercial) zoning in Ordinance No. 3260 (DVR00-0005) to PAD (Commercial) in Ordinance No. 2822 (PL97-199). The reverted zoning establishes community commercial uses including a gas station, convenience store, and car wash uses on approximately 2.5 acres.

Preliminary Development Plan

Planning Commission and Planning Staff, upon finding consistency with the General Plan, recommend approval of the Preliminary Development Plan request subject to the following conditions:

1. Compliance with original conditions adopted by the City Council as Ordinance No. 2822 in case PL97-199, except as modified by condition herein.
2. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled “DVR14-0003 Pacific Oil Partners”, kept on file in the City of Chandler Planning Services Division, in File No. DVR14-0003, except as modified by condition herein.
3. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Planning Administrator for arterial street median landscaping.
4. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
5. Landscaping shall be in compliance with current Commercial Design Standards.
6. The monument sign’s sign panels shall have an integrated or decorative cover panel until a tenant name is added to the sign.
7. 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.
8. The canvas shade structures shall be maintained in a manner similar to that at the time of installation.
9. The site shall be maintained in a clean and orderly manner.

PROPOSED MOTIONS

Zoning Reversion

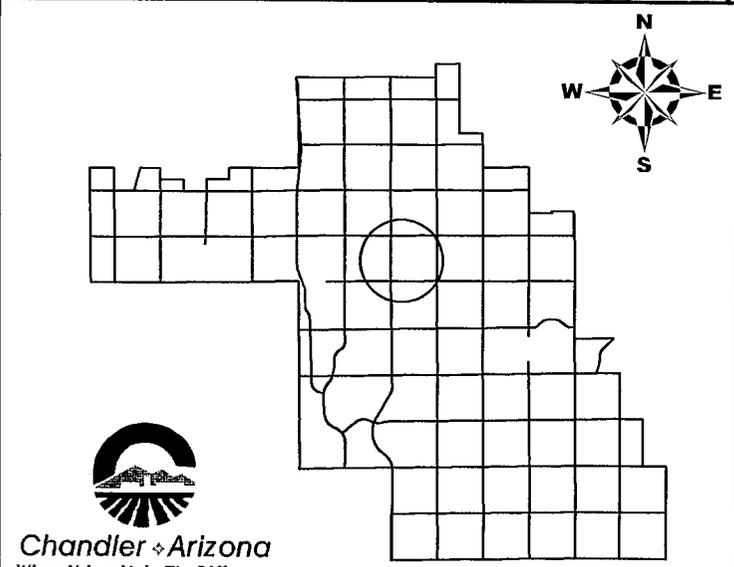
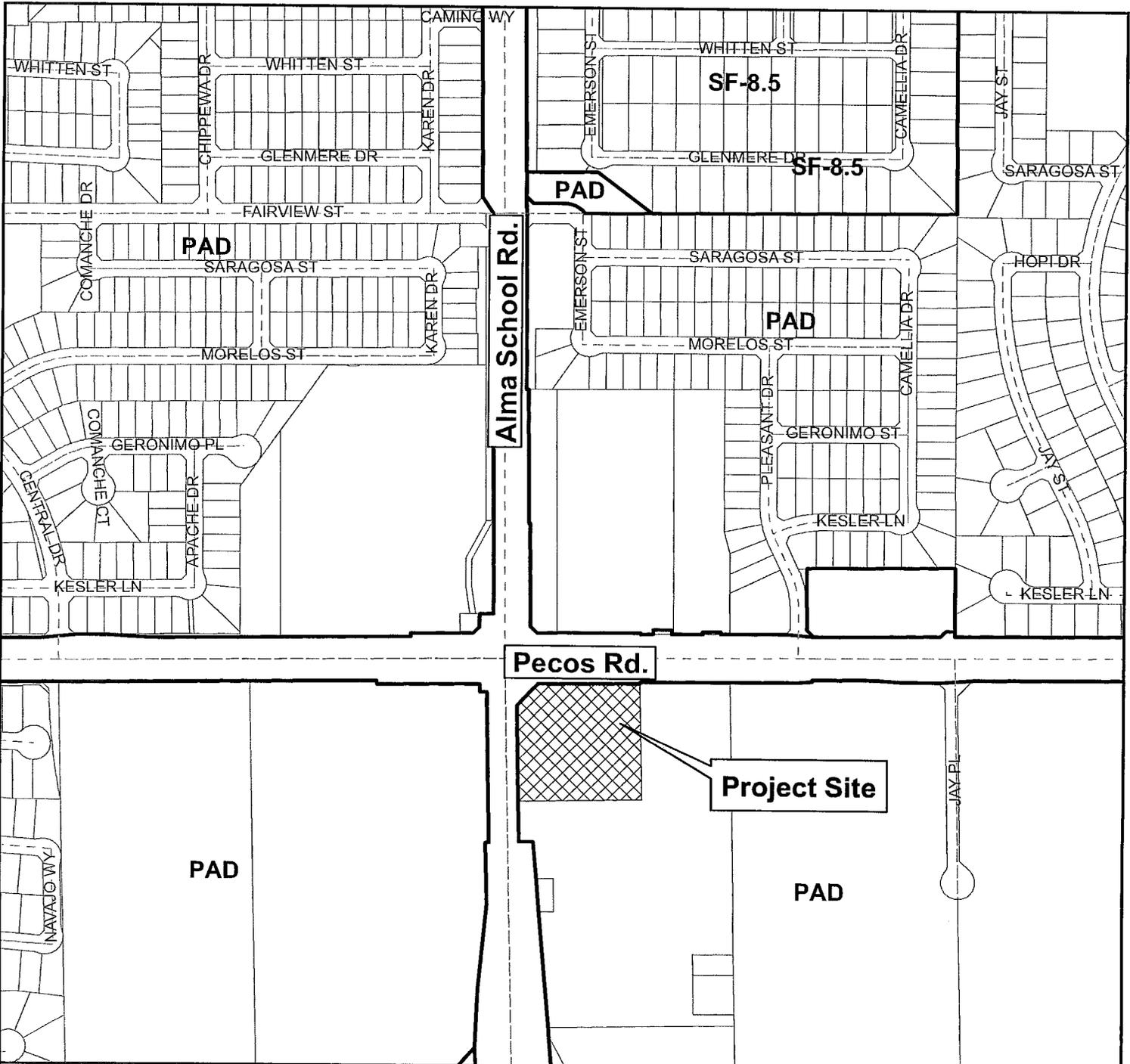
Move to introduce and tentatively adopt Ordinance No. 4576 approving zoning case DVR14-0003 PACIFIC OIL PARTNERS to revert zoning from PAD (Commercial) in Ordinance No. 3260 (DVR00-0005) to PAD (Commercial) in Ordinance No. 2822 (PL97-199) as recommended by Planning Commission and Planning Staff.

Preliminary Development Plan

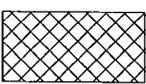
Move to approve Preliminary Development Plan request DVR14-0003 PACIFIC OIL PARTNERS for site design and building architecture, subject to the conditions as recommended by Planning Commission and Planning Staff.

Attachments

1. Vicinity Maps
2. Site Plan
3. Landscape Plan
4. Building Elevations
5. PDP08-0005 Advantage Business Park site & landscape plans
6. PDP08-0005 Advantage Business Park building design exhibits
7. Correspondence in opposition/concerns
8. Original Ordinances No. 3260 & 2822
9. Ordinance No. 4576



Vicinity Map



DVR14-0003

Pacific Oil Partners

CITY OF CHANDLER 8/2/2012

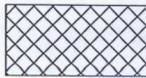
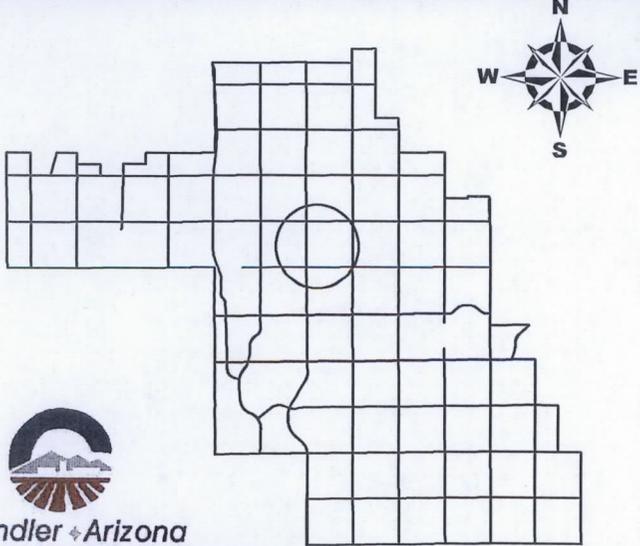


Alma School Rd.

Pecos Rd.

Project Site

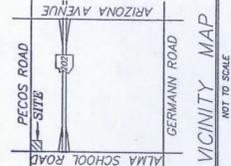
Vicinity Map



DVR14-0003

Pacific Oil Partners





PROJECT DESCRIPTION:
WE PROPOSE TO CONSTRUCT NEW CONVENIENCE STORE, FUEL SALES CANOPY AND CAR WASH AT VACANT PROPERTY LOCATED AT SOUTHEAST CORNER OF PECOS ROAD AND ALMA SCHOOL ROAD. FRONTAGE AT PECOS ROAD IS FULLY DEVELOPED AND INTERGROUND UTILITIES PRESENT. FRONTAGE AT ALMA SCHOOL ROAD REQUIRES SOME DEVELOPMENT, INSTALLATION OF SIDEWALK AND DRIVEWAY CUT. PRESENTLY THERE ARE STORM-WATER INLETS FROM PECOS AND ALMA SCHOOL ROADS TAKING RUNOFF TO THE STREET. WE PLAN TO CONSTRUCT THIS FACILITY AS SOON AS NECESSARY APPROVALS ARE OBTAINED AND PLAN TO CONSTRUCT ENTIRE PROJECT IN SINGLE PHASE.

PROJECT DATA:
OWNER/DEVELOPER:
KING OF THE HILL
20760 N. 67TH AVENUE #1040
SCOTTSDALE, AZ 85255
ATTN: DAVID MILLER
PHONE: 480-310-4693

DESIGN TEAM:
K ENGINEERING & DESIGN, LLC
1743 E. MCKELVIN DRIVE, SUITE 100
TEMPE, AZ 85285
REGISTERED PROFESSIONAL ENGINEER
ZACHARY H. KWASNICKA, P.E., LIC. NO. 107184
CIVIL/STRUCTURAL
ZACHARY H. KWASNICKA, P.E., LIC. NO. 107184

ASSESSOR'S PARCEL NUMBER: 303-21-021E

ZONING: PAD

OCCUPANCY: M (C-STORE)
B (CAR WASH)
B (FUEL CANOPY)

CONSTRUCTION TYPE: I-B (CANOPY, CAR WASH)

BUILDING AREAS:
C-STORE: 4,950 SF
FUEL CANOPY: 5,608 SF
CAR WASH: 3,563 SF
TOTAL UNDER ROOF: 14,121 SF

NET SITE AREA: 110,294 SF. 2.59 AC

LOT COVERAGE: 1432/110,294 = 13.0 %

PARKING CALCULATIONS:
C-STORE (1/250) 4,950 / 250 = 19.8 TO 5P SEAT
3P SPACES PROVIDED (2 ACCESSIBLE)

REVISIONS:



RETENTION LANDSCAPING

FUEL TANKS

FUEL COPY 6,808 SF

CAR WASH 3,563 SF

CONV STORE 4,950 SF

RETENTION LANDSCAPING

ASPHALT

PAVEMENT

ROAD

SCHOOL ROAD

ALMA SCHOOL ROAD

PECOS ROAD

HARTFORD ROAD

RETENTION LANDSCAPING

ASPHALT

PAVEMENT

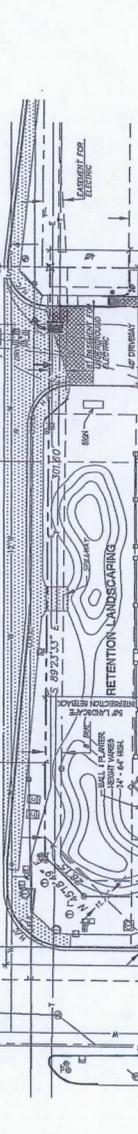
ROAD

SCHOOL ROAD

ALMA SCHOOL ROAD

PECOS ROAD

HARTFORD ROAD



MATCH LINE A-A



SCALE: 1" = 30'

PRELIMINARY SITE PLAN

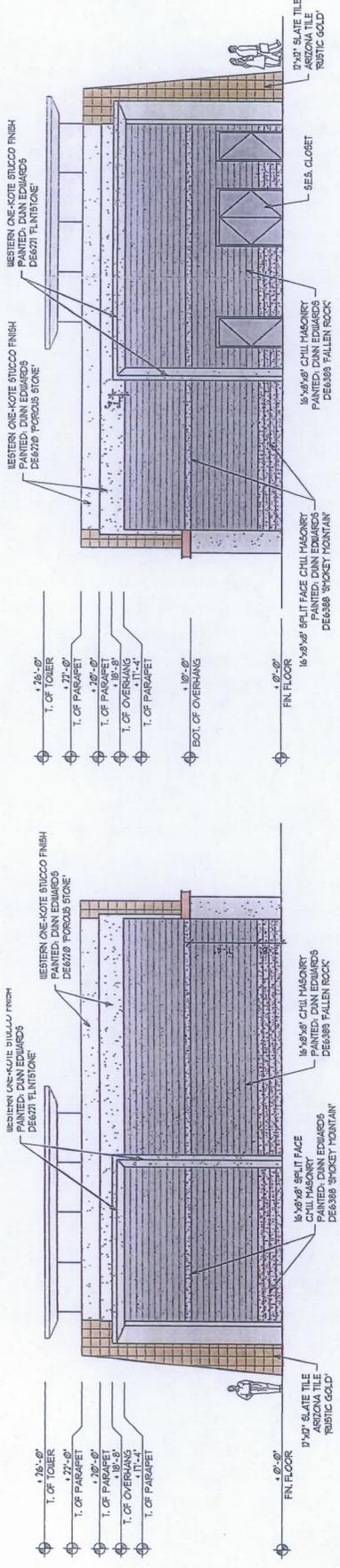
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PHONOCOKEY LAND PARTNERS NO 1 LLC
2009-1528654 M.C.R.

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2009-1528654 M.C.R.

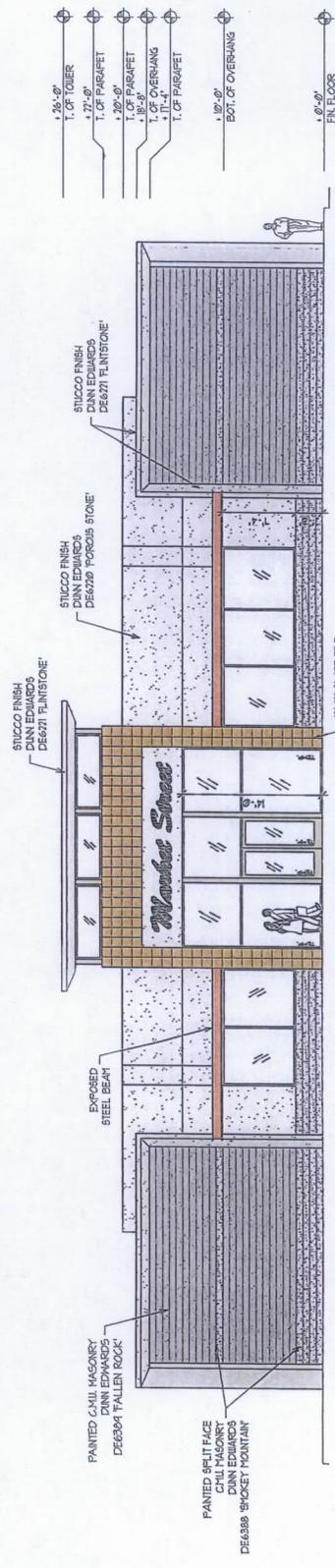
PHONOCOKEY LAND PARTNERS NO 1 LLC
2009-1528654 M.C.R.

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WEST ELEVATION

EAST ELEVATION

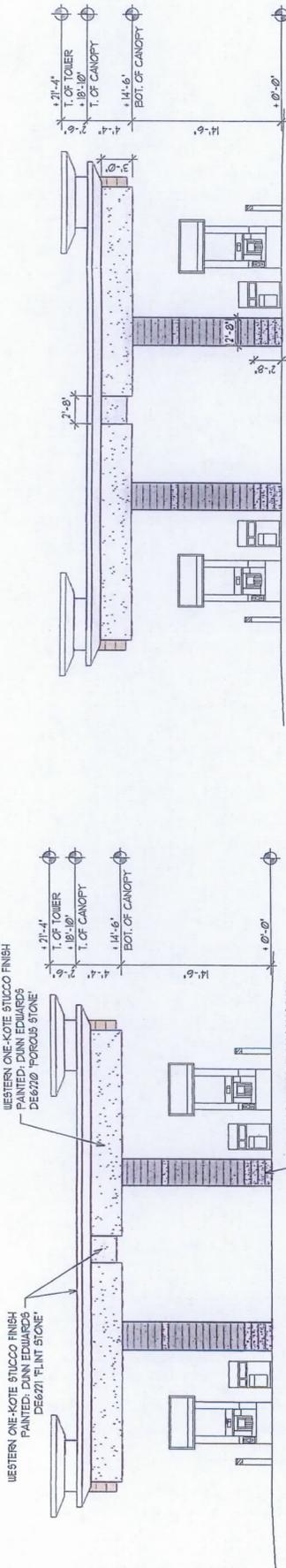


NORTH ELEVATION

SOUTH ELEVATION

CONV. STORE ELEVATIONS

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WEST ELEVATION

EAST ELEVATION

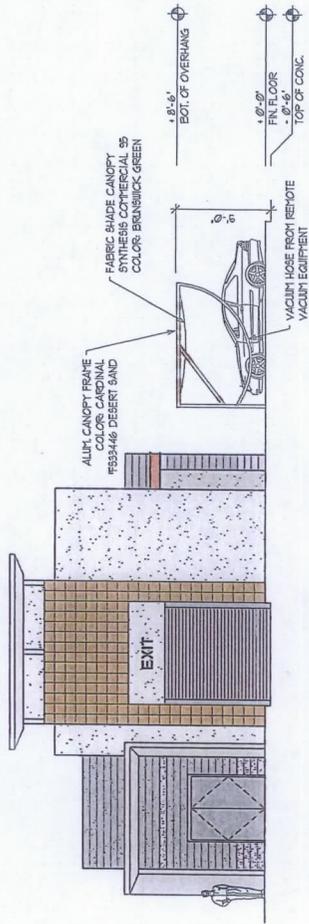
NORTH ELEVATION

SOUTH ELEVATION

FUEL CANOPY ELEVATIONS

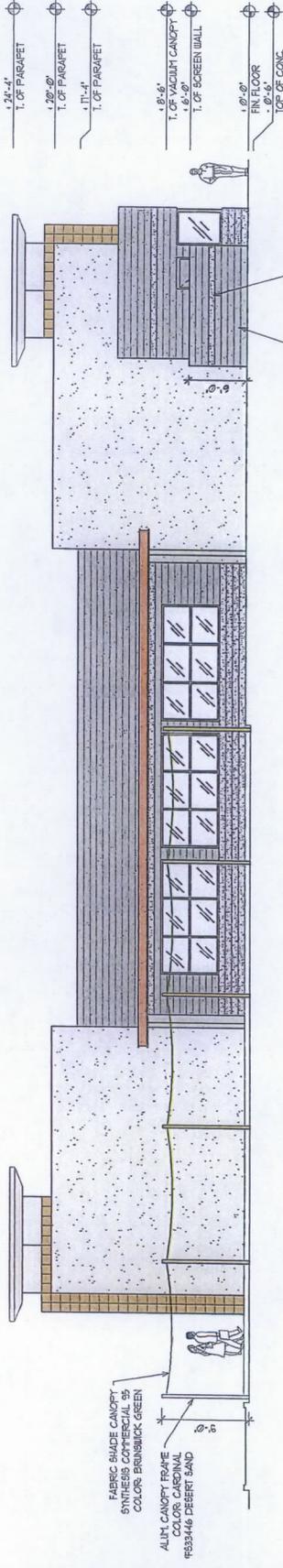
JOB NO.:	12013
REVISIONS:	
SCALE:	N.T.S.
DATE:	12/02/13
DRAWN BY:	NL/ZK
CHECK BY:	REMG
SHEET:	OF
VACUUM SHADE CANOPY & SCREEN WALL ELEV.	

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NORTH ELEVATION

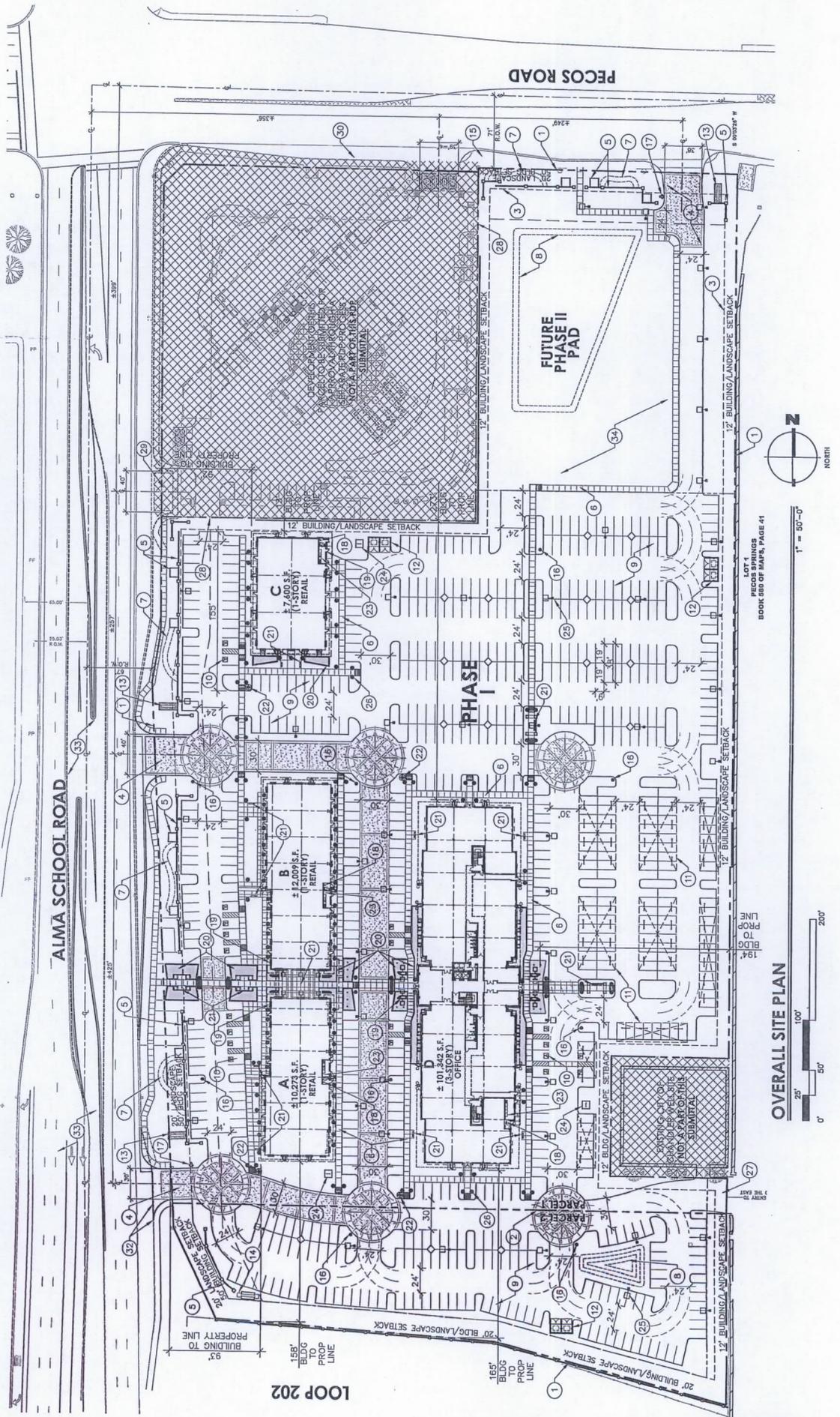
1/4" = 1'-0"



WEST ELEVATION

1/4" = 1'-0"

VACUUM SHADE CANOPY AND EQUIP. SCREEN WALL ELEVATION

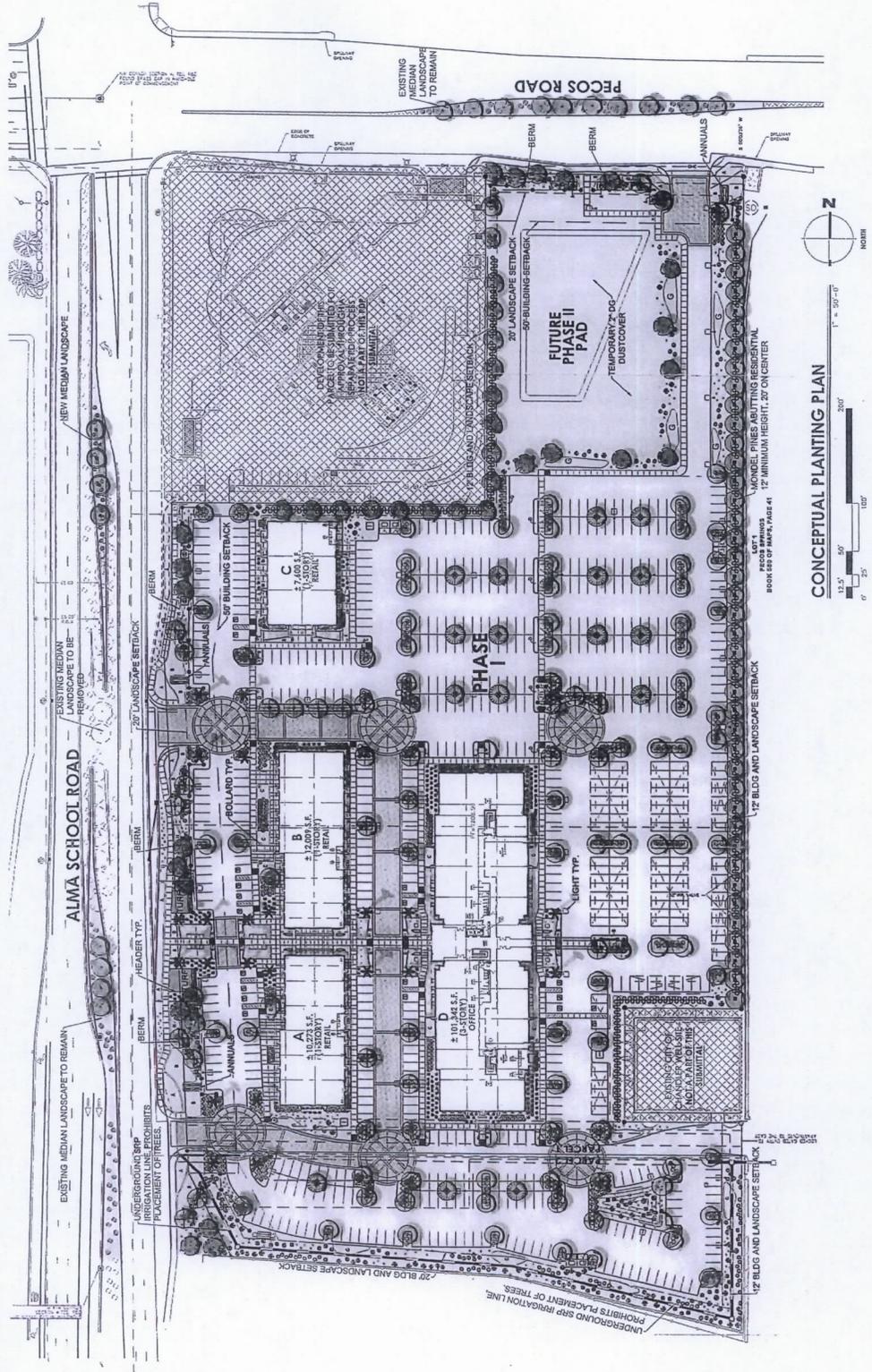


LOT 1
RESERVED FOR
BOOK END OF MAP, PAGE 41

OVERALL SITE PLAN

LOOP 202

500-800-DDP



PROPOSED PLANT LIST

- TREES**
- EXISTING TREE (TO BE REMOVED) N/A
 - EXISTING TREE (TO REMAIN) N/A
 - DATE PALM
 - 4" BOXLOW BREAMING
 - 3" MONDEL PINE (20' ON CENTER)
 - OPTION: PINUS SPECIES
 - DALBERGIA BISSOID
 - DESERT MUSEUM PALO VERDE
 - CHASTE TREE
 - EVERGREEN ELMI
 - OPTION: ASH

- SHRUBS**
- TECOMA SPECIES
 - AGAVE AMERICANA
 - GIANT REDROCK AGAVE
 - VALENTINE BUSH
 - 'RO BRAND' SAGE
 - 'PETITE PINK' CLEANDER
 - 'LYNN'S LEGACY' SAGE
 - RED YUCCA
 - MASHVILLE GRASS
 - DEER GRASS

- SIZE COMMENTS**
- 15 GAL
 - 15 GAL
 - 5 GAL

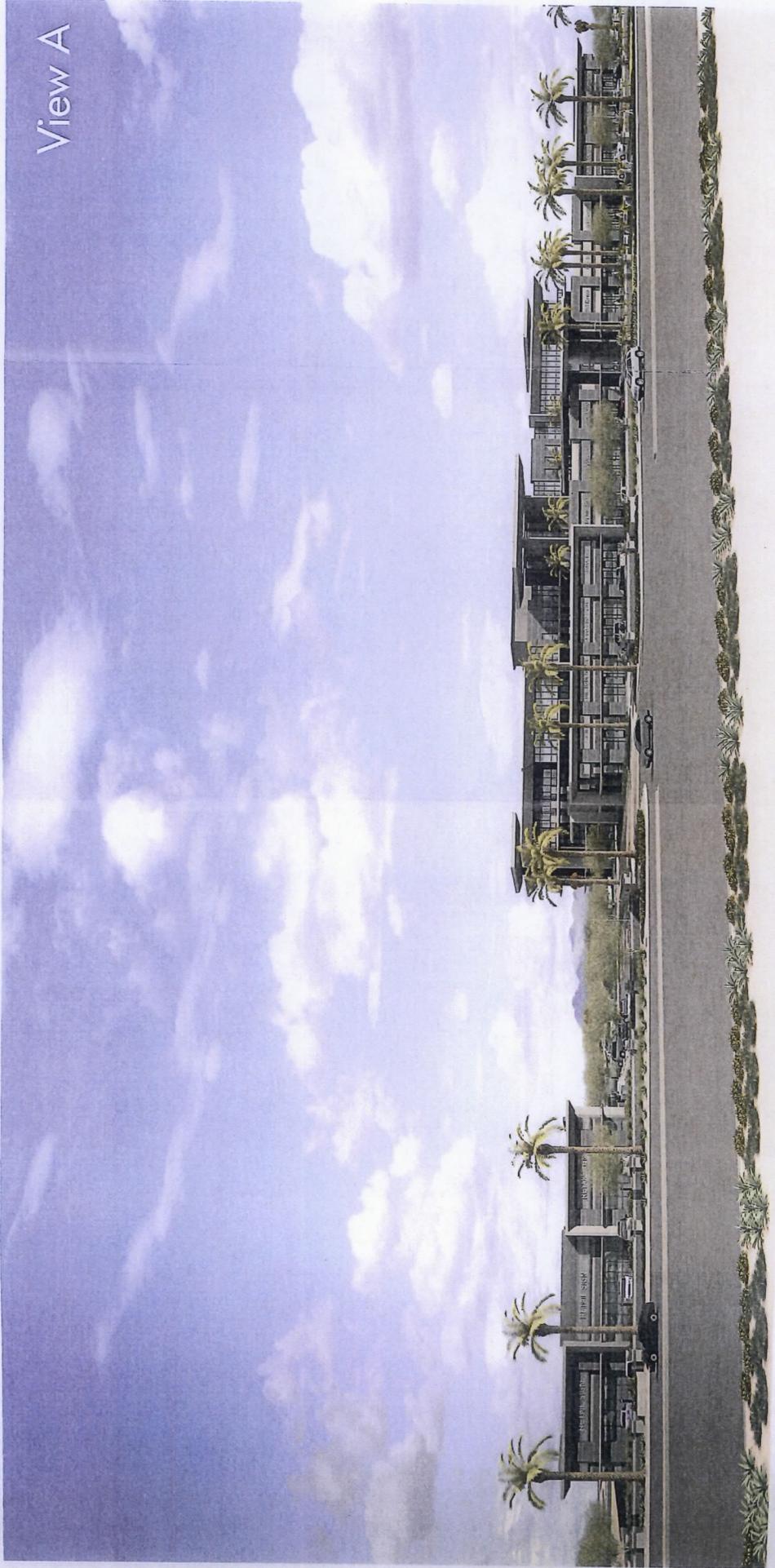
GENERAL NOTES

ALL PLANTING AREAS TO HAVE DECOMPOSED GRANITE WARRIOR GOLD, 1/2" MIN. THICK, TYP. TO COVER THE EMERGENT PERIMS, SPEC. 2 APPLICATIONS, MIN.

CITY OF CHANDLER
 PLAN REVIEW NUMBERS
 FIG-16-10-02 PDD04-0102
 PDR-16-0006 PDR01-0006
GK FLANKIGN
 ASSOCIATES
 4525 N. 148th Street
 Phoenix, AZ 85018
 (602) 991-1999

PDP08-0005

View A



PDPO8-200



View B

PDPOS-000

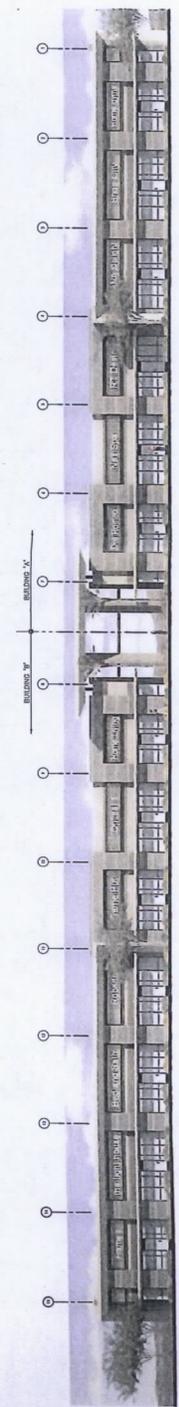
View E

Office Alternative

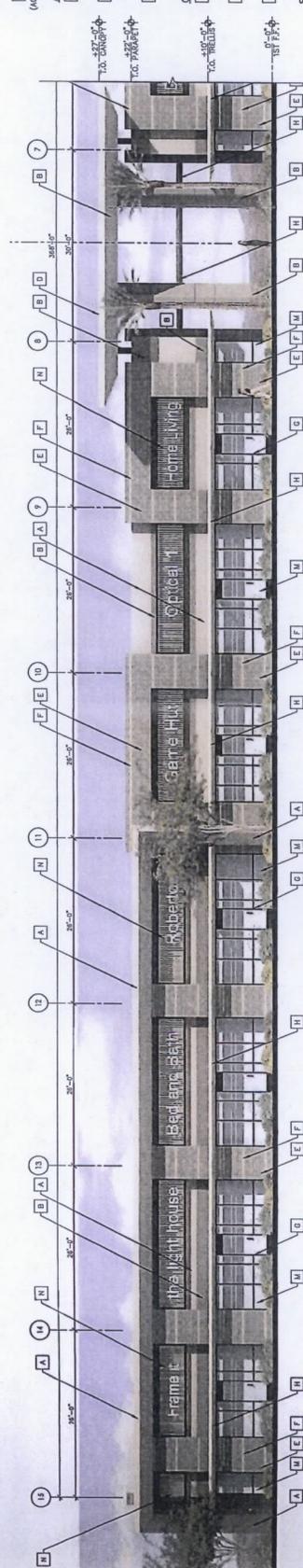


PDPO8-005

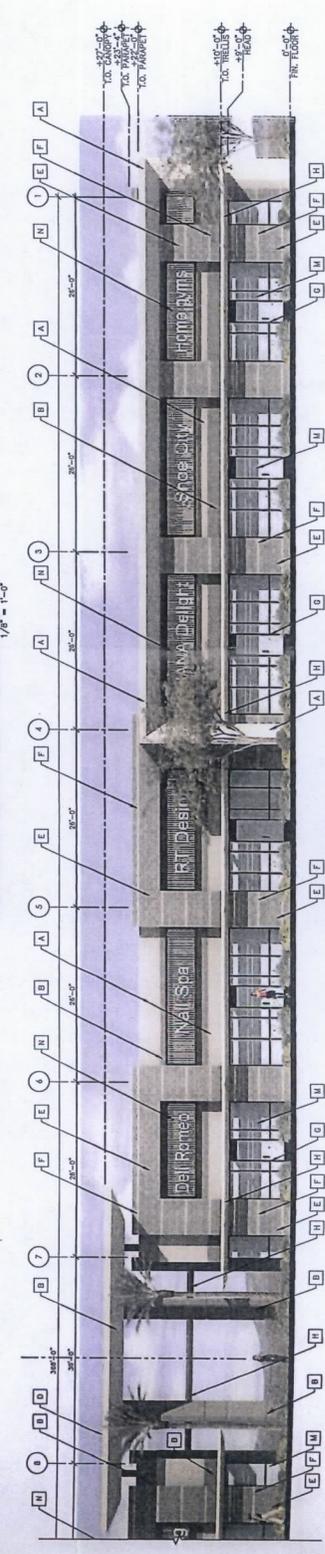
- EIFS:**
- A MFR: FIBERGLASS MESH
 - B MFR: MEDIUM SAND FINISH
 - C MFR: POLYMER PORTLAND CEMENT
 - D MFR: POLYMER PORTLAND CEMENT
 - E MFR: POLYMER PORTLAND CEMENT
 - F MFR: POLYMER PORTLAND CEMENT
 - G MFR: POLYMER PORTLAND CEMENT
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 - M MFR: POLYMER PORTLAND CEMENT
 - N MFR: POLYMER PORTLAND CEMENT
- PAINT:**
- A MFR: INTERIOR WALL PAINT
 - B MFR: INTERIOR WALL PAINT
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 - N MFR: INTERIOR WALL PAINT
- ROOFING:**
- A MFR: METAL SALES (OR DOWN)
 - B MFR: METAL SALES (OR DOWN)
 - C MFR: METAL SALES (OR DOWN)
 - D MFR: METAL SALES (OR DOWN)
 - E MFR: METAL SALES (OR DOWN)
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- MASONRY:**
- A MFR: MASONRY
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- ALUMINUM:**
- A MFR: ALUMINUM
 - B MFR: ALUMINUM
 - C MFR: ALUMINUM
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- GLAZING:**
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 - B MFR: GLAZING
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 - N MFR: GLAZING
- SHIELD SCREEN:**
- A MFR: SHIELD SCREEN
 - B MFR: SHIELD SCREEN
 - C MFR: SHIELD SCREEN
 - D MFR: SHIELD SCREEN
 - E MFR: SHIELD SCREEN
 - F MFR: SHIELD SCREEN
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 - L MFR: SHIELD SCREEN
 - M MFR: SHIELD SCREEN
 - N MFR: SHIELD SCREEN



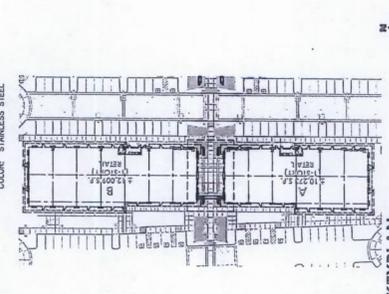
**BUILDINGS 'A' & 'B' -
CONCEPTUAL OVERALL WEST ELEVATION**
1/8" = 1'-0"



**BUILDING 'B' -
CONCEPTUAL WEST ELEVATION**
1/8" = 1'-0"



**BUILDING 'A' -
CONCEPTUAL - WEST ELEVATION**
1/8" = 1'-0"



KEYPLAN

pbp08-0003



DVR14-0003

Mike Cahill

to:

Jeff.Kurtz, kevin.mayo, jodie.novak

10/01/2014 01:23 PM

Hide Details

From: "Mike Cahill" <m.cahill@cobblestone.com>

To: <Jeff.Kurtz@chandleraz.gov>, <kevin.mayo@chandleraz.gov>, <jodie.novak@chandleraz.gov>

Dear Mr. Kurtz, Mr. Mayo and Ms. Novak,

My name is Mike Cahill and I am the principle of Cobblestone Auto Spa and Market at 2021 S. Alma School Road in Chandler. I am happy to say that we have been in business at this location since 2003, and we are very proud of the services that we have provided and relationships that we've established with the residents of Chandler since that time.

During the planning and zoning process for our parcel, we worked extensively with staff to come up with a mutually agreeable site plan for the development of our facility. While this process was at times arduous, we ended up with a very attractive facility, one that actually won the 2004 City of Chandler Architectural Excellence Award. One of our key points of compromise during this process was agreeing to staff's insistence that we only be allowed six fueling dispensers instead of the eight that we had proposed. Staff had agreed to eight dispensers for our facility, but only if our facility was "reversed", that is with the dispensers situated on the interior of the parcel and the building against the street. Our car wash facility couldn't accommodate that layout, so we agreed to the six fueling dispensers facing the street.

My concern with the above application is that as proposed, this facility will have eight fueling dispensers, facing the street. With this proposed facility being only one mile to the north on the same arterial, I feel that this situation will put our facility at a competitive disadvantage. To be clear, I am not suggesting that the proposed gas station not be there at all, although we do have plenty of gasoline in the area, just that it should be held to the same high standards that the other facilities along Alma School Road have been held to.

I will be attending tonight's hearing to convey my concerns in person, so I am requesting that this item be removed from the consent agenda.

Thank you for your consideration.

Regards,

Mike Cahill
Cobblestone Auto Spa & Market
14269 N. 87th Street, Suite 205
Scottsdale, AZ 85260
M 602-561-8066

TEE JAY PETROLEUM, LLC

September 30, 2014

e-mail
JDSaran@tjoil.net

VIA EMAIL

Jodie M. Novak, MEP
Senior City Planner
City of Chandler, Planning Division
Mail Stop 105
PO Box 4008
Chandler, AZ 85244-4008
jodie.novak@chandleraz.gov

Kevin Mayo
City of Chandler, Planning Division
kevin.mayo@chandleraz.gov

Jeff Kurtz
Planning Administrator
City of Chandler, Planning Division
jeff.kurtz@chandleraz.gov

Re: New Chevron Site at Pecos and Alma School Road, Chandler, Arizona (“Proposed Site”)

Good afternoon:

We are Tee Jay Petroleum, LLC (“Tee Jay”), and we would like to address the Planning Commission, concerning the Proposed Site of a new Chevron retail outlet described above. It has come to our attention that the City of Chandler is considering approving a new Chevron retail location at the Proposed Site. For several reasons, we are strongly opposed to such approval, and urges the Planning Commission to reject the Proposed Site for the new facility. In the alternative, the proposed site plan requires substantial revisions.

As you may know, Tee Jay owns and operates a Chevron retail site at 1990 South Alma School Road, Chandler, Arizona (“Tee Jay Site”), which is on the NW corner of Alma School and Germann. The Proposed Site is extremely close (less than one mile) to the Tee Jay Site. We respectfully submit that we can provide some helpful insight to the Planning Commission, not only because of the proximity of Tee Jay’s store to the Proposed Site, but also because of the similar nature of the two businesses (Chevron gas station and convenience store), and the prior experience in gaining approval from the City for the Tee Jay Site.

City of Chandler, Planning Division
September 30, 2014
Page 2

First, placing a Chevron store at the Proposed Site does not appear to be the best use of the property, and may not serve the area residents well. With the Tee Jay Site being located less than a mile away, and with it also being a Chevron site, it is questionable whether another such site is needed. In addition, multiple gas stations in such close proximity begin to erode the aesthetics of the neighborhood. This is not an issue of competition, but one of redundancy, aesthetics, and best use of the property for the community as a whole.

Second, the plans submitted for the Proposed Site are not consistent with prior decisions of the Planning Commission. For example, in approving the Tee Jay Site, the Commission required that the developer limit its plan to only 6 fueling stations. The Proposed Site plans are showing eight fueling stations. In addition, the Commission required that the developer hide its fuel canopy away from the main roads and behind the main building. In contrast, the Proposed Site plans show the fuel canopy to be constructed out close to the road, with the building on the interior of the lot. If the Commission is going to approve the Proposed Site, it must be consistent in its requirements that it has already imposed on existing businesses in the same area.

In summary, Tee Jay and its principals and related companies are current and longstanding business owners and Chandler residents, and have proudly and loyally worked with the City of Chandler for many years. The Tee Jay facilities have been operated without negative incident, and have been a positive addition to the community and its residents. We only ask that this track record of loyalty and dedication to the community be supported, by disallowing the Proposed Site as a Chevron retailer site. We understand that the matter is on the consent agenda for October 1, but we urge the Committee to allow and consider public discussion about it. I will be present to address the Committee and respectfully request an opportunity to do so. At a minimum, the Proposed Site must be required to conform to standards that the Tee Jay Site was required to meet, such as a limit of six fuel stations, and a reworking of the fuel canopy location.

Thank you for your consideration.

Sincerely,

TEE JAY PETROLEUM, LLC



Jagdeep Saran
Member

ORDINANCE NO. 3260

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING PARCELS FROM PAD TO PAD AMENDED AND FROM AG-1 TO PAD (DVR00-0005 PECOS PLAZA) 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 'Exhibit A'

Said Parcels 1-4 are hereby rezoned from PAD to PAD Amended and Parcel 5 is hereby rezoned from AG-1 to PAD, subject to the following conditions:

1. Right-of-way dedications to achieve full half widths for Pecos Road and Alma School Road, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
2. Undergrounding of all overhead electric (under 69KV), communications and television lines and any open irrigation ditches or canals located on the site or within adjacent right-of-ways and/or easements in accordance with City adopted design and engineering standards.
3. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual # 4).
4. 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.
5. The developer shall be required to install landscaping in the arterial street median 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.

6. Construction shall commence above foundation walls on the major tenant within two (2) 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.
7. Prior to the issuance of the first construction permit for this project, a bond must be posted to cover the developer's proportional share of the cost of the traffic signal.
8. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Pecos Plaza" kept on file in the City of Chandler Planning Services Division, in File No. DVR00-0005, except as modified by condition herein.
9. A separate Preliminary Development Plan for the freestanding pads on the southern 2.5-acre parcel shall be approved by City Council.
10. Approval by the Director of Planning and Development of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Director of Public Works for arterial street median landscaping.
11. At the time of receiving necessary building permits and construction is about to proceed, the developer shall erect a 4 foot by 8 foot sign identifying what is being built and the estimated date of completion for the specified project. This information may be incorporated with the contractor's sign or the "Coming Soon" sign on the subject site.
12. Electrical service entrance section (SES) shall be located inside the building or may be located outside the building provided that it is completely screened from view.
13. Any roof access ladders shall be located inside the building.
14. All roof drains shall be interior roof drains, except those on the K-Mart building which shall be constructed in the manner identified in Exhibit A, Development Booklet.
15. All ground-mounted equipment shall be screened from public view by landscaping or a concrete or masonry wall equal to or greater in height than the mechanical equipment.
16. All transformer boxes, meter panels and electric equipment, back-flow valves and any other utility equipment shall be painted to match the building color.
17. The lighting utilized on the gas station canopy shall be recessed.

18. A representative of K-Mart shall be appointed and shall respond to neighborhood inquiries during construction and post-construction operations to ensure neighborhood concerns are addressed and any variations from these stipulations are remedied.
19. At the time of Preliminary Development Plan for the southern 2.52-acres, the development shall provide sound attenuation measures in accordance with ADOT standard details and requirements. Any required noise mitigation, as identified in an approved sound attenuation study, is the responsibility of the development and shall be constructed as part of the development of the southern 2.52-acre parcel.
20. The source of water that shall be used on the open space, common areas, and landscape tracts shall be reclaimed water (effluent). If reclaimed water is not available at the time of construction, and the total landscapable area is 10 acres in size or greater, these areas will be irrigated and supplied with water, other than surface water from any irrigation district, by the owner of the development through sources consistent with the laws of the State of Arizona and the rules and regulations of the Arizona Department of Water Resources. If the total landscapable area is less than 10 acres in size, the open space common areas, and landscape tracts may be irrigated and supplied with water by or through the use of potable water provided by the City of Chandler or any other source that will not otherwise interfere with, impede, diminish, reduce, limit or otherwise adversely affect the City of Chandler's municipal water service area nor shall such provision of water cause a credit or charge to be made against the City of Chandler's gallons per capita per day (GPCD) allotment or allocation. However, when the City of Chandler has effluent of sufficient quantity and quality which meets the requirements of the Arizona Department of Environmental Quality for the purposes intended available to the property to support the open space, common areas, and landscape tracts available, Chandler effluent shall be used to irrigate these areas.
21. In the event the owner sells or otherwise transfers the development to another person or entity, the owner will also sell or transfer to the buyer of the development, at the buyer's option, the water rights and permits then applicable to the development. The limitation that the water for the development is to be owner-provided and the restriction provided for in the preceding sentence shall be stated on the final plat governing the development, so as to provide notice to any future owners. The Public Report, Purchase Contracts, and Final Plats shall include a disclosure statement outlining that the development shall use treated effluent to maintain open space, common areas, and landscape tracts.
22. The major anchor center shall be constructed as the first phase of the development before or simultaneous with the development of any freestanding pads.
23. No storage shall be allowed outside of the outdoor garden center.
24. The 2.52 acre parcel shall include adequate parking to be determined at the time of Preliminary Development Plan.

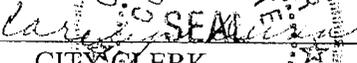
25. Some traffic calming technique, such as additional textured and decorative paving or other traffic calming measure approved by the Director of Planning and Development, shall be added to the north-south driveway located east of Shops C (Parcel 2).

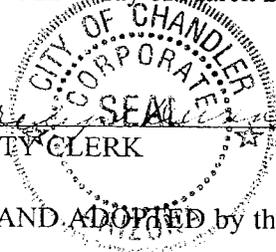
SECTION II. Except where provided, nothing contained herein shall be construed to be and abridgment of any other ordinance of the City of Chandler.

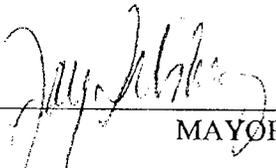
SECTION III. The Planning & Development Department of the City of Chandler is hereby directed to enter such changes and amendments as may be necessary upon the Zoning Map of said Zoning Code in compliance with this ordinance.

INTRODUCED AND TENTATIVELY APPROVED by the City Council of the City of Chandler, Arizona, this 22nd day of March 2001.

ATTEST:

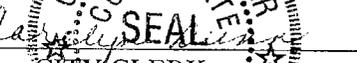

CITY CLERK




MAYOR

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona, this 9th day of April 2001.

ATTEST:

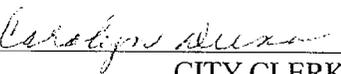

CITY CLERK




MAYOR

CERTIFICATION

I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 3260 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the 9th day of April 2001, and that a quorum was present thereat.


CITY CLERK

APPROVED AS TO FORM:


CITY ATTORNEY

PUBLISHED:

4/19/01
4/20/01

Ordinance No. 3260
Exhibit "A"

EXHIBIT A
Ordinance No. 3260
DVR00-0005 Pecos Plaza

PARCEL 1

A portion of the Northwest Quarter 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 S 89°23'33" E, along the North line of said Section 4, a distance of 370.77 feet;

THENCE departing said North line, S 00°36'27" W, a distance of 75.00 feet to a point on a line that is parallel to and 75.00 feet Southerly of the North line of the Northwest Quarter of said section 4, said point being the POINT OF BEGINNING;

THENCE S 89°23'33" E, along said parallel line, a distance of 109.01 feet;

THENCE departing said parallel line, S 00°02'00" W, a distance of 282.80 feet;

THENCE S 89°58'00" E, a distance of 139.99 feet;

THENCE N 00°11'43" E, a distance of 281.39 feet to a point on a line that is parallel to and 75.00 feet Southerly of the North line of the Northwest Quarter of said Section 4;

THENCE S 89°23'33" E, along said parallel line, a distance of 41.99 feet;

THENCE departing said parallel line, S 00°03'38" W, a distance of 577.02 feet;

THENCE N 89°38'04" W, a distance of 2.51 feet;

THENCE S 00°04'29" W, a distance of 189.36 feet;

THENCE N 89°38'04" W, a distance of 119.17 feet;

THENCE S 00°02'00" W, a distance of 120.00 feet;

THENCE S 89°38'04" E, a distance of 119.08 feet;

THENCE S 00°04'29" W, a distance of 34.99 feet;

THENCE N 89°10'27" W, a distance of 442.80 feet;

THENCE N 08°18'10" W, a distance of 138.56 feet;

THENCE N 63°18'10" W, a distance of 80.18 feet;

THENCE N 89°58'00" W, a distance of 59.02 feet to a point on a line that is parallel to and 55.00 feet Easterly of the West line of the Northwest Quarter of said Section 4;

THENCE N 00°02'00" E, along said parallel line, a distance of 14.52 feet;

THENCE departing said parallel line, S 89°58'00" E, a distance of 6.00 feet to point on a line that is parallel to and 71.00 feet Easterly of the West line of the Northwest Quarter of said Section 4;

THENCE N 00°02'00" E, along said parallel line, a distance of 333.49 feet;

THENCE departing said parallel line, S 89°58'00" E, a distance of 4.00 feet to a point on a line that is parallel to and 75.00 feet Easterly of the West line of the Northwest Quarter of said Section 4;

THENCE N 00°02'00" E, along said parallel line, a distance of 224.37 feet;

THENCE departing said parallel line, S 89°58'00" E, a distance of 100.78 feet;

THENCE N 00°02'00" E, a distance of 32.77 feet;

THENCE S 89°58'00" E, a distance of 149.19 feet;

THENCE N 45°02'00" E, a distance of 46.69 feet;

THENCE N 00°02'00" E, a distance of 95.52 feet;

THENCE S 89°58'00" E, a distance of 12.01 feet;

THENCE N 00°02'00" E, a distance of 111.39 feet to the POINT OF BEGINNING.

PARCEL 5

A portion of Lot 4 of Section 4, Township 2 South, Range 5 East, of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at the southwest corner of Lot 4 of said Section 4; thence N01°00'41"W (an assumed bearing), along the west line of said Lot 4, for a distance of 274.64 feet to a point on the north right-of-way of proposed Loop 202 as defined in Document No. 88-017426, Maricopa County Records and maps provided by the Arizona Department of Transportation and the POINT OF BEGINNING;

Thence continuing N01°00'41"W for a distance of 141.13 feet; thence N89°47'04"E for a distance of 658.78 feet; thence S00°58'39"E for a distance of 199.36 feet to a point on the north right-of-way of said proposed Loop 202; thence N84°32'03"W, along said north right-of-way, for a distance of 597.28 feet to a point on the east line of the west 65 feet of the Northwest Quarter of said Section 4; thence S88°59'19"W for a distance of 65.00 feet to the POINT OF BEGINNING.

An area containing 2.52 Acres, more or less.

PARCEL 2

A portion of the Northwest Quarter 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 S 89°23'33" E, along the North line of said Section 4, a distance of 370.77 feet;

THENCE departing said North line, S 00°36'27" W, a distance of 75.00 feet to the POINT OF BEGINNING;

THENCE S 00°02'00" W, a distance of 111.39 feet;

THENCE N 89°58'00" W, a distance of 12.01 feet;

THENCE S 00°02'00" W, a distance of 95.52 feet;

THENCE S 45°02'00" W, a distance of 46.69 feet;

THENCE N 89°58'00" W, a distance of 149.19 feet;

THENCE S 00°02'00" W, a distance of 32.77 feet;

THENCE N 89°58'00" W, a distance of 100.78 feet to a point on a line that is parallel to and 75.00 feet Easterly of the West line of the Northwest Quarter of said Section 4;

THENCE N 00°02'00" E, along said parallel line, a distance of 255.63 feet;

THENCE departing said parallel line, N 45°19'32" E, a distance of 28.16 feet to a point on a line that is parallel to and 75.00 feet Southerly of the North line of the Northwest Quarter of said Section 4;

THENCE S 89°23'33" E, along said East line, a distance of 262.13 feet to the POINT OF BEGINNING.

PARCEL 3

A portion of the Northwest Quarter 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 S 89°23'33" E, along the North line of said Section 4, a distance of 620.57 feet;

THENCE departing said North line, S 00°36'27" W, a distance of 75.00 feet to the POINT OF BEGINNING;

THENCE S 00°11'43" W, a distance of 281.39 feet;

THENCE N 89°58'00" W, a distance of 139.99 feet;

THENCE N 00°02'00" E, a distance of 282.80 feet to a point on a line that is parallel to and 75.00 feet Southerly of the North line of the Northwest Quarter of said Section 4;

THENCE S 89°23'33" E, along said parallel line, a distance of 140.80 feet to the POINT OF BEGINNING.

PARCEL 4

A portion of the Northwest Quarter 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 S 00°02'00" W, along the West line of the Northwest Quarter of said Section 4, a distance of 1,093.88 feet;

THENCE departing said West line, S 89°10'27" E, a distance of 65.01 feet to a point on a line that is parallel to and 55.00 feet Easterly of said West line, said point being the POINT OF BEGINNING.

THENCE N 00°02'00" E, along said parallel line, a distance of 170.99 feet;

THENCE departing said parallel line, S 89°58'00" E, a distance of 59.20 feet;

THENCE S 63°18'10" E, a distance of 80.18 feet;

THENCE S 08°18'10" E, a distance of 138.56 feet;

THENCE N 89°10'27" W, a distance of 150.95 feet to the POINT OF BEGINNING.

ORDINANCE NO. 2822

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM AG-1 TO PAD (PL97-199 PECOS PLAZA) 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 properties 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 1. Legal Description of Property:

Those portions of the Northwest quarter of Section 3, T1S, R5E, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described in zoning case file PL97-199.

Said parcel is hereby rezoned from AG-1 to PAD subject to the following conditions:

1. Right-of-way dedications to achieve full half widths for Pecos and Alma School Roads, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
2. Undergrounding, if applicable, of all overhead electric (under 69KV), communications and television lines and any open irrigation ditches or canals located on the site or within adjacent

- rights-of-way and/or easements in accordance with City adopted design and engineering standards.
3. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual #4).
 4. Completion of the construction, where applicable 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.
 5. Construction shall commence above foundation walls within two (2) 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.
 6. Development shall be in substantial conformance with Exhibit A, Development Booklet, except as modified by condition herein.
 7. The landscaping in all open spaces and rights-of-way shall be maintained by the property owner.
 8. The freestanding pads shall carry an architectural level of detail similar to front facades of main building.
 9. Approval by the Director of Planning and Development of plans for landscaping (open spaces and rights-of-way) and perimeter walls.
 10. The dwelling units shall have all copper plumbing.
 11. 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.
 12. The development shall provide sound attenuation measures in accordance with ADOT standard details and requirements and as per the submitted Noise Impact Study. Additional design measures shall be considered at the time of site development plan review such as berming to gain additional wall height, solid core doors, and minimizing window area on units facing the freeway.

- 13. The developer shall make available a 1-acre parcel for a water production facility, if in the opinion of the City Engineer, such a facility is deemed necessary. Access to the facility shall be designed to be in accordance with standards to be approved by the City Engineer.
- 14. All fireplaces shall be gas burning only.
- 15. Development shall be in substantial conformance with the Multifamily Design Standards, as attached hereto, for approval by the Zoning Administrator.

SECTION 2. Except where provided, nothing contained herein shall be construed to be an abridgment of any other ordinance of the City of Chandler.

SECTION 3. The Planning and 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 this 23 day of APRIL, 1998.

ATTEST:

Carolyn Deusa
CITY CLERK

Bill Johnston
MAYOR

PASSED AND ADOPTED by the City Council this 14 day of MAY, 1998.

ATTEST:

Carolyn Deusa
CITY CLERK

Bill Johnston
MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 2822 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the 14 day of May, 1998, and that a quorum was present thereat.

Carolyn Dunn
CITY CLERK

APPROVED AS TO FORM:

Dennis M. O'Neill
CITY ATTORNEY

PUBLISHED: May 20 & 27, 1998

ORDINANCE NO. 4576

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REVERTING ZONING ON A PARCEL FROM PAD (COMMERCIAL) IN ORDINANCE NO. 3260 (DVR00-0005) TO PAD (COMMERCIAL) IN ORDINANCE NO. 2822 (PL97-199) 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) to PAD (Commercial).

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. 4576 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 4576

**EXHIBIT "A" TO SPECIAL WARRANTY DEED FROM
EXXONMOBIL OIL CORPORATION TO
PACIFIC OIL PARTNERS, LLC**

A portion of the Northwest quarter 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:

Beginning at the Northwest corner of said Section 4;

Thence South 89 degrees 23 minutes 33 seconds East, along the North line of said Section, 661.85 feet;

Thence South 00 degrees 03 minutes 26 seconds West, 751.98 feet;

Thence North 89 degrees 38 minutes 19 seconds West, 1.95 feet;

Thence South 00 degrees 07 minutes 11 seconds West, 189.53 feet;

Thence North 89 degrees 37 minutes 25 seconds West, 120.00 feet;

Thence South 00 degrees 07 minutes 11 seconds West, 120.00 feet;

Thence South 89 degrees 37 minutes 25 seconds East, 120.00 feet;

Thence South 00 degrees 07 minutes 11 seconds West, 35.00 feet;

Thence North 89 degrees 37 minutes 25 seconds West, 659.04 feet to the West line of said Section 4;

Thence North 00 degrees 02 minutes 00 seconds East along said West line, 1099.18 feet to the Point of Beginning;

Except those portions of the above described property dedicated for street purposes on the plat recorded in Book 580 of Maps, page 41; and

Except that portion conveyed to the State of Arizona, by and through its Department of Transportation by Deed recorded in Document No. 2002-1193347 which lies West of the following described line:

Commencing at a brass cap in a hand hole marking the Northwest corner of said Section 4 from which a brass cap in a hand hole marking the West quarter corner of said Section 4 bears South 01 degrees 01 minutes 33 seconds East, 2834.01 feet;

Thence along the West line of said Section 4, South 01 degrees 01 minutes 33 seconds East, 545.79 feet to the Point of Beginning;

Thence North 88 degrees 58 minutes 27 seconds East, 65.00 feet;

Thence South 03 degrees 37 minutes 05 seconds East, 578.94 feet;

Thence South 27 degrees 14 minutes 52 seconds East, 98.24 feet;

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Thence South 87 degrees 12 minutes 07 seconds East, 286.90 feet;

Thence South 77 degrees 21 minutes 14 seconds East, 244.73 feet;

Thence South 01 degrees 00 minutes 32 seconds East, 13.39 feet;

Thence South 84 degrees 32 minutes 55 seconds East, 31.06 feet;

Thence South 87 degrees 03 minutes 18 seconds East, 634.41 feet;

Thence North 00 degrees 58 minutes 25 seconds West, 20.00 feet;

Thence North 89 degrees 55 minutes 07 seconds East, 1322.56 feet to the Point of Ending on the North South midsection line of said Section 4 being South 00 degrees 55 minutes 16 seconds East, 1325.07 feet from a brass cap in a hand hole marking the North quarter corner of said Section 4; and

Except that portion conveyed in Document No. 20041492223, more particularly described as follows:

A portion of the Northwest quarter of Section 4, Township 2 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

Commencing at the brass cap in hand hole marking the Northwest corner of said Section 4 from which a brass cap flush marking the Northeast corner of the Northwest quarter of the Northwest quarter of said Section 4 bears South 89 degrees 23 minutes 33 seconds East 1323.66 feet, said line being the North line of the Northwest quarter and the basis of the bearings in this description;

Thence South 89 degrees 23 minutes 33 seconds East 661.85 feet along the said North line to its intersection with the Northerly prolongation of the county line of Lot 1 of Pecos Springs, as recorded in Book 580 of Maps, page 41, records of Maricopa County, Arizona;

Thence South 00 degrees 03 minutes 26 seconds West 71.00 feet along said Westerly line 71.00 feet to the Point of Beginning;

Thence continuing South 00 degrees 03 minutes 26 seconds West 680.98 feet along said Westerly line;

Thence North 89 degrees 38 minutes 19 seconds West 1.95 feet;

Thence South 00 degrees 07 minutes 11 seconds West 189.53 feet,

Thence North 89 degrees 37 minutes 25 seconds West 120.00 feet;

Thence South 00 degrees 07 minutes 11 seconds West 120.00 feet;

Thence South 89 degrees 37 minutes 25 seconds East 120.00 feet;

Thence South 00 degrees 07 minutes 11 seconds West 35.00 feet;

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Thence North 89 degrees 37 minutes 25 seconds West 568.95 feet to the Easterly right of way line of Alma School Road as described in Document No. 2002-1193347, records of Maricopa County, Arizona;

Thence North 02 degrees 33 minutes 36 seconds West 554.50 feet along said Easterly right of way line;

Thence North 89 degrees 58 minutes 04 seconds West 32.00 feet to the Easterly right of way line of Alma School Road as shown on said Pecos Springs;

Thence North 00 degrees 01 minutes 56 seconds East 122.52 feet along said Easterly right of way line;

Thence South 89 degrees 58 minutes 04 seconds East 363.59 feet;

Thence North 00 degrees 01 minutes 56 seconds East 344.28 feet to the South line of the North 75.00 feet of said Northwest quarter;

Thence North 00 degrees 36 minutes 27 seconds East 4.00 feet to the South line of the North 71.00 feet of said Northwest quarter;

Thence South 89 degrees 23 minutes 33 seconds East 265.17 feet along said South line to the Point of Beginning.

Subject to existing easements, rights of way, restrictions, covenants and conditions whether of record Or not.