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NOV 17 2014

ORDINANCE NO. 4579

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL(S) FROM AGRICULTURAL DISTRICT (AG-1) TO PLANNED AREA DEVELOPMENT (PAD) FOR BUSINESS PARK USES (DVR14-0021 METRO CHANDLER AIRPORT CENTER) 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(s) are hereby rezoned from Agricultural District (AG-1), to Planned Area Development (PAD) for Business Park Uses, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "METRO CHANDLER AIRPORT CENTER" and kept on file in the City of Chandler Planning Division, in File No. DVR14-0021, 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. 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. 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.
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 or as otherwise approved in a development agreement.
5. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
6. Permitted Uses: Building 1 and Building 2: All uses permitted in the Planned Industrial (1-1) District of the Chandler Zoning Ordinance; all offices, including professional, administrative, medical and any other office use; educational facilities; financial institutions, churches, and places of worship; retail, restaurant, shared conference centers and similar uses; commercial service uses; and recreational assembly uses, provided such recreational assembly uses shall not exceed 15% of the total building square footage on the property and shall not be located within 450-feet of the westernmost property line. Building 3: All uses permitted within Building 1 and 2, and automotive accessory sales and installation uses.

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 this _____ day of _____, 2014.

ATTEST:

ORDINANCE No. 4579
ATTACHMENT 'A'
LEGAL DESCRIPTION

PARCEL NO. 1 (APN 303-32-013P)

THAT PORTION OF SECTION 11, TOWNSHIP OF 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT, SAID POINT BEING THE NORTHEAST CORNER OF SECTION 11 ALSO BEING THE CENTERLINE INTERSECTION OF GERMANN ROAD AND COOPER ROAD.

THENCE S00°22'38"E A DISTANCE OF 433.62 FEET ALONG THE CENTER OF COOPER ROAD;

THENCE S89°37'22"W A DISTANCE OF 71.01 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF COOPER ROAD AND THE POINT OF BEGINNING;

THENCE S89°12'46"W A DISTANCE OF 1215.13 FEET;

THENCE N00°47'15"W A DISTANCE OF 10.92 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 645.00 FEET;

THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 14°50'05" AN ARC LENGTH OF 167.00 FEET TO THE BEGINNING OF A TANGENT REVERSE CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 555.00 FEET;

THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 14°50'06" AN ARC LENGTH OF 143.70 FEET;

THENCE N00°47'14"W A DISTANCE OF 24.93 FEET;

THENCE N89°12'46"E A DISTANCE OF 7.17 FEET;

THENCE N00°47'14"W A DISTANCE OF 56.99 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF GERMANN ROAD;

THENCE N89°12'46"E ALONG SAID GERMANN ROAD RIGHT OF WAY A DISTANCE OF 1220.83 FEET;

THENCE S00°22'35"E A DISTANCE OF 48.00 FEET;

THENCE S45°34'38"E A DISTANCE OF 28.18 FEET;

THENCE S00°22'35"E A DISTANCE OF 179.00 FEET;

THENCE N89°13'18"E A DISTANCE OF 10.00 FEET;

THENCE S00°22'35"E A DISTANCE OF 153.10 FEET TO THE POINT OF BEGINNING.

EXCEPT THAT PORTION SET FORTH AS EXHIBIT "A" OF THAT FINAL ORDER OF CONDEMNATION RECORDED NOVEMBER 5, 2004 AS 2004-1305597 AND BEING MORE PARTICULARLY DESCRIBED AS;

A PORTION OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 11, SAID POINT BEING A FOUND BRASS CAP IN HANDHOLE;

FROM WHICH THE NORTH QUARTER CORNER OF SAID SECTION 11 BEARS S89°19'02"W (BASIS OF BEARING) SAID POINT BEING A FOUND BRASS CAP IN HANDHOLE;

THENCE S89°19'02"W ALONG THE NORTH LINE OF SAID SECTION 11, A DISTANCE OF 101.24 FEET;

THENCE S00°40'58"E, 33.00 FEET TO A POINT BEING THE INTERSECTION OF THE SOUTH RIGHT OF WAY LINE OF GERMANN ROAD AND THE WEST RIGHT OF WAY LINE OF COOPER ROAD TO THE POINT OF BEGINNING;

THENCE S00°16'12"E, 42.00 FEET;

THENCE S89°19'02"W PARALLEL WITH THE AFORESAID NORTH LINE OF SAID SECTION 11, A DISTANCE OF 180.00 FEET;

THENCE N00°40'58"W, 10.00 FEET;

THENCE S89°19'02"W PARALLEL WITH THE AFORESAID NORTH LINE OF SAID SECTION 11, A DISTANCE OF 1042.01 FEET;

THENCE N00°40'58"W, 32.00 FEET TO A POINT BEING ON THE SOUTH RIGHT OF WAY LINE OF GERMANN ROAD;

THENCE N89°19'02"E PARALLEL WITH THE AFORESAID NORTH LINE OF SAID SECTION 11, A DISTANCE OF 1221.84 FEET TO THE POINT OF BEGINNING.

PARCEL NO. 2: (APN 303-32-013G)

THAT PORTION OF SECTION 11, TOWNSHIP OF 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT, SAID POINT BEING THE NORTH QUARTER CORNER OF SECTION 11 ALSO BEING THE CENTERLINE INTERSECTION OF GERMANN ROAD AND AIRPORT BOULEVARD;

THENCE N89°12'46"E A DISTANCE OF 1224.90 FEET ALONG THE NORTH SECTION LINE OF SECTION 11;

THENCE S00°47'14"E A DISTANCE OF 70.00 FEET TO A POINT ON THE SOUTH RIGHT OF WAY OF GERMANN ROAD ALSO BEING THE POINT OF BEGINNING;

THENCE S00°47'14"E A DISTANCE OF 44.93 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 645.00 FEET;

THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 14°50'06" AN ARC LENGTH OF 167.00 FEET TO THE BEGINNING OF A TANGENT REVERSE CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 555.00 FEET;

THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 14°50'05" AN ARC LENGTH OF 143.70 FEET;

THENCE S00°47'15"E A DISTANCE OF 10.92 FEET;

THENCE S89°12'46"W A DISTANCE OF 574.00 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 745.00 FEET;

THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 45°33'52" AN ARC LENGTH OF 592.46 FEET;

THENCE N48°37'15"W A DISTANCE OF 103.86 FEET TO A POINT OF NON-TANGENT CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 159.97 FEET, THE CENTER OF WHICH BEARS N41°22'52"E;

THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 47°54'43" AN ARC LENGTH OF 133.77 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF AIRPORT BOULEVARD;

THENCE N89°12'46"E A DISTANCE OF 205.01 FEET;

THENCE N00°20'33"W A DISTANCE OF 435.01 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF GERMANN ROAD;

THENCE N89°12'46"E A DISTANCE OF 428.54 FEET;

THENCE S86°53'39"E A DISTANCE OF 242.53 FEET;

THENCE S83°44'01"E A DISTANCE OF 152.52 FEET TO A POINT OF NON-TANGENT CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 2935.00 FEET, THE CENTER OF WHICH BEARS N01°13'09"E;

THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 02°00'23" AN ARC LENGTH OF 102.78 FEET TO A POINT OF TANGENCY;

THENCE N89°12'46"E A DISTANCE OF 62.51 FEET TO THE POINT OF BEGINNING.