

1

DEC 11 2014

ORDINANCE NO. 4595

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM AGRICULTURAL (AG-1) TO PLANNED AREA DEVELOPMENT (PAD) FOR COMMUNITY COMMERCIAL AND A GAS STATION IN CASE (DVR14-0036 SWC GILBERT AND OCOTILLO ROADS) 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 Agricultural District (AG-1) to PAD (Community Commercial with a gas station), subject to the following conditions:

1. Development shall be in substantial conformance Exhibit A, Development Booklet, entitled "SWC GILBERT AND OCOTILLO ROADS", kept on file in the City of Chandler Planning Division, in File No. DVR14-0036, except as modified by condition herein.
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. 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. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual #4).
6. 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.
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.

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 _____, 2015.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

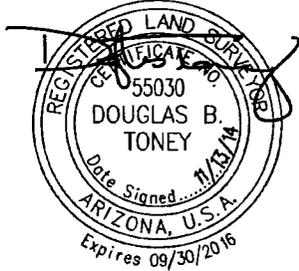
I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 4595 was duly passed and
adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the
____ day of _____, 2015, and that a quorum was present thereat.

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY *KSN*

PUBLISHED:



November 13, 2014
PROJECT # 050017-01-001

EXHIBIT 'A'

**LEGAL DESCRIPTION
COMMERCIAL PARCEL**

A PORTION OF THAT PARCEL OF LAND DESCRIBED IN DOCUMENT NO. 2006-0585055, MARICOPA COUNTY RECORDS, LOCATED IN THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 24, BEING A CITY OF CHANDLER BRASS CAP IN A HANDHOLE, FROM WHICH THE EAST QUARTER CORNER OF SAID SECTION 24 BEARS SOUTH 00° 08' 02" WEST, A DISTANCE OF 2647.92 FEET;

THENCE SOUTH 89° 34' 00" WEST, ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 24, A DISTANCE OF 1129.15 FEET;

THENCE SOUTH 00° 26' 00" EAST, DEPARTING SAID NORTH LINE, A DISTANCE OF 33.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF OCOTILLO ROAD AND THE **POINT OF BEGINNING**;

THENCE NORTH 89° 34' 00" EAST, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 629.15 FEET TO THE NORTHWEST CORNER OF THAT PARCEL DESCRIBED IN QUIT CLAIM DEED OF DEDICATION, RECORDED AS DOCUMENT NO. 2012-0043778, MARICOPA COUNTY RECORDS;

THENCE ALONG THE SOUTHERLY AND WESTERLY BOUNDARY OF SAID QUIT CLAIM DEED OF DEDICATION, BEING THE SOUTHERLY RIGHT-OF-WAY LINE OF OCOTILLO ROAD AND THE WESTERLY RIGHT-OF-WAY LINE OF GILBERT ROAD, THE FOLLOWING SIX (6) COURSES:

- 1) **THENCE** SOUTH 00° 26' 00" EAST, A DISTANCE OF 32.00 FEET;
- 2) **THENCE** NORTH 89° 34' 00" EAST, A DISTANCE OF 404.35 FEET;
- 3) **THENCE** SOUTH 45° 08' 59" EAST, A DISTANCE OF 28.14 FEET;
- 4) **THENCE** SOUTH 00° 08' 02" WEST, A DISTANCE OF 180.30 FEET;
- 5) **THENCE** SOUTH 89° 51' 58" EAST, A DISTANCE OF 10.00 FEET;
- 6) **THENCE** SOUTH 00° 08' 02" WEST, A DISTANCE OF 906.66 FEET;

THENCE SOUTH 89° 34' 00" WEST, PARALLEL WITH THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 24, A DISTANCE OF 912.05 FEET;

THENCE NORTH 90°00'00" EAST, A DISTANCE OF 306.28 FEET;

Attachment 'A'
ord-no. 4595

EXHIBIT 'A'

PAGE 2 OF 2

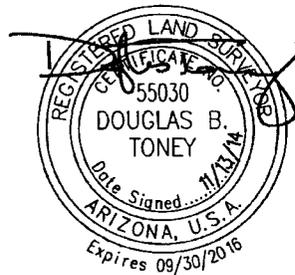
THENCE SOUTH 90°00'00" WEST, A DISTANCE OF 342.87 FEET TO A POINT ON THE EAST LINE OF THE FINAL PLAT OF "FONTE AL SOLE", RECORDED IN BOOK 574 OF MAPS, PAGE 28, MARICOPA COUNTY RECORDS;

THENCE NORTH 00° 03' 27" EAST, ALONG SAID EAST LINE, A DISTANCE OF 548.17 FEET;

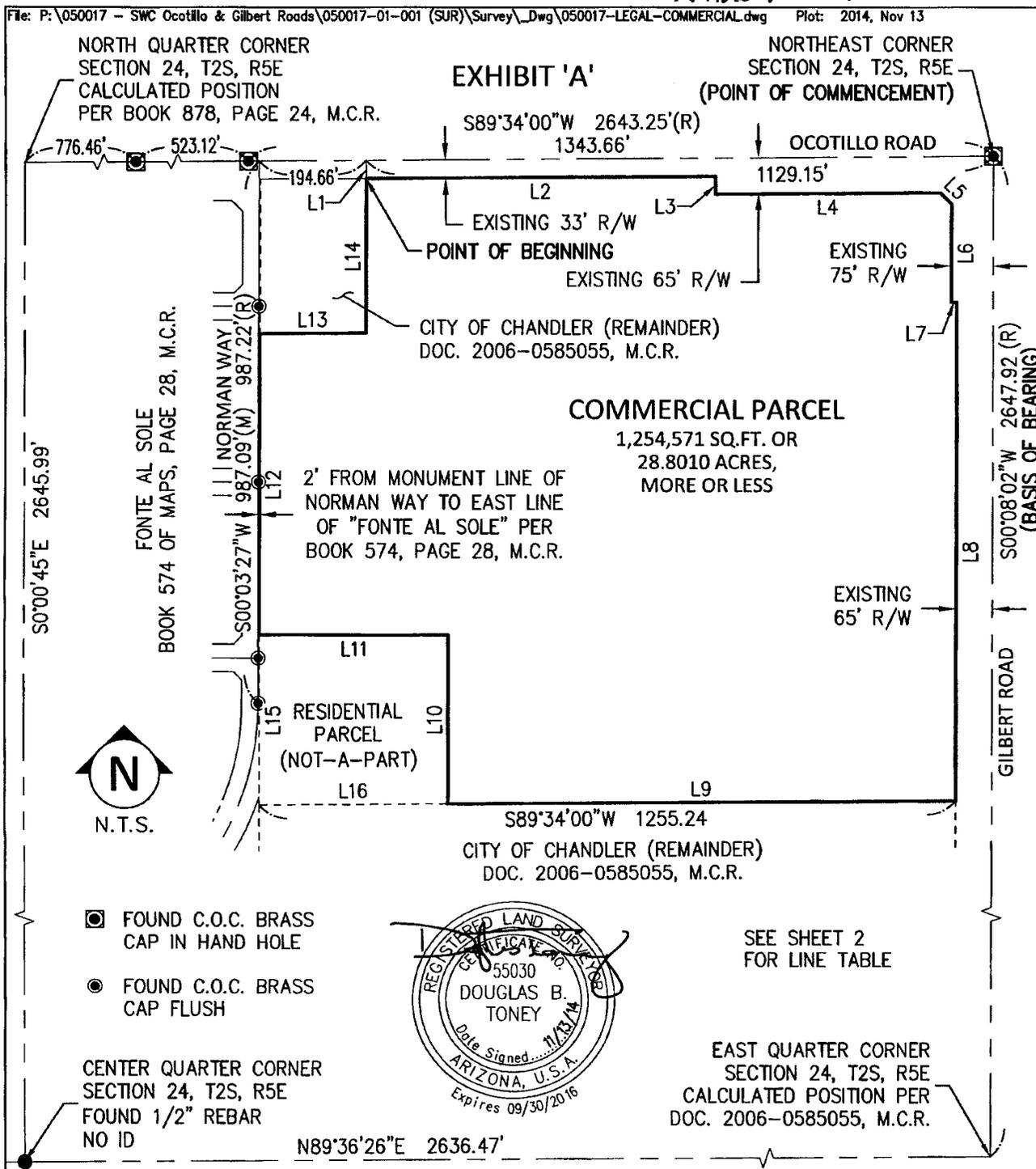
THENCE NORTH 89° 34' 00" EAST, PARALLEL WITH THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 24, A DISTANCE OF 192.94 FEET;

THENCE NORTH 00° 03' 27" EAST, PARALLEL WITH THE EAST LINE OF SAID FINAL PLAT OF "FONTE AL SOLE", A DISTANCE OF 282.00 FEET TO THE **POINT OF BEGINNING**.

SAID PARCEL CONTAINS 1,254,571 SQUARE FEET OR 28.8010 ACRES, MORE OR LESS.



Attachment 'A' ord-no. 4595



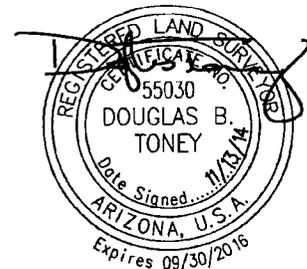
NOTE: THIS EXHIBIT IS MEANT SOLELY AS A REFERENCE TO THE LEGAL DESCRIPTION TO WHICH IT IS ATTACHED. IT IS NOT TO BE CONSIDERED A STAND ALONE DOCUMENT, NOR THE RESULT OF A FIELD SURVEY.

SHEET 1 OF 2	DATE: 11/13/14	ARTESIAN MARKETPLACE COMMERCIAL PARCEL			1295 W Washington St. #108 Tempe, AZ 85281 Phone: (480) 829-8830 Fax: (480) 629-8841 www.bowmanconsulting.com
	BY: DT	CHK: DT	QC: DT		
	BCG PROJECT NO: 050017-01 TASK: 001				
CLIENT REF NO:					

Attachment 'A' ord. no. 4595

LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	33.00'	S00°26'00"E
L2	629.15'	N89°34'00"E
L3	32.00'	S00°26'00"E
L4	404.35'	N89°34'00"E
L5	28.14'	S45°08'59"E
L6	180.30'	S00°08'02"W
L7	10.00'	S89°51'58"E
L8	906.66'	S00°08'02"W

LINE TABLE		
LINE #	LENGTH	DIRECTION
L9	912.05'	S89°34'00"W
L10	306.28'	N00°00'00"E
L11	342.87'	S90°00'00"W
L12	548.17'	N00°03'27"E
L13	192.94'	N89°34'00"E
L14	282.00'	N00°03'27"E
L15	308.87'	N00°03'27"E
L16	343.19'	S89°34'00"W



NOTE: THIS EXHIBIT IS MEANT SOLELY AS A REFERENCE TO THE LEGAL DESCRIPTION TO WHICH IT IS ATTACHED. IT IS NOT TO BE CONSIDERED A STAND ALONE DOCUMENT, NOR THE RESULT OF A FIELD SURVEY.

SHEET 2 OF 2	ARTESIAN MARKETPLACE COMMERCIAL PARCEL				1295 W Washington St, #108 Tempe, AZ 85281 Phone: (480) 629-8830 Fax: (480) 629-8841 www.bowmanconsulting.com	
	DATE: 11/13/14	BY: DT	CHK: DT			QC: DT
	BCG PROJECT NO: 050017-01 TASK: 001 CLIENT REF NO:					