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JAN 08 2015

ORDINANCE NO. 4596

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM PLANNED INDUSTRIAL (I-1) TO PLANNED AREA DEVELOPMENT (PAD) FOR A HOTEL, INCLUDING A MID-RISE OVERLAY FOR BUILDING UP TO 60-FEET IN CASE (DVR14-0026 ELEMENT HOTEL) 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 1 is hereby rezoned from I-1 to PAD for a hotel, including a Mid-Rise Overlay; said Parcel 2 is hereby rezoned from I-1 to PAD for commercial uses, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "ELEMENT HOTEL" and kept on file in the City of Chandler Planning Division, in File No. DVR14-0026, 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. 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. 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. 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.
- 6. Maximum building height shall be limited to 60-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 _____, 2015.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 4596 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 *Kon*

PUBLISHED:

EXHIBIT A'

LEGAL DESCRIPTION

PARCEL 1:

A portion of CHANDLER COMMERCE CENTER, as recorded in Book 267 of Maps, Page 14 Maricopa County records, situated in the northwest quarter of Section 36, Township 1 South, Range 4 East, Gila and Salt River Meridian, Maricopa County, Arizona, being more particularly described as follows:

COMMENCING at the northeast corner of said CHANDLER COMMERCE CENTER, marking the northeast corner of said northwest quarter of Section 36;
THENCE South 01 degree 47 minutes 52 seconds West, along the east line of said CHANDLER COMMERCE CENTER, 936.12 feet to the beginning of a non-tangent curve, the center of which bears North 03 degrees 40 minutes 40 seconds East, 500.00 feet;
THENCE westerly, along the arc of said curve to the right, through a central angle of 08 degrees 14 minutes 12 seconds for an arc distance of 71.88 feet to the POINT OF BEGINNING;
THENCE South 11 degrees 22 minutes 14 seconds West, 186.93 feet;
THENCE South 63 degrees 52 minutes 29 seconds West, 118.52 feet;
THENCE South 45 degrees 15 minutes 06 seconds West, 48.03 feet to a point on the north line of COUNTRY CROSSING as recorded in Book 284 of Maps, Page 4 Maricopa County records;
THENCE North 46 degrees 49 minutes 10 seconds West, along said north line, 347.42 feet;
THENCE North 43 degrees 10 minutes 50 seconds East, 245.11 feet;
THENCE South 46 degrees 49 minutes 10 seconds East, 33.00 feet to the beginning of a curve with a radius of 500.00 feet to the left;
THENCE southeasterly, along the arc of said curve, through a central angle of 31 degrees 15 minutes 58 seconds, for an arc distance of 272.85 feet to the POINT OF BEGINNING.

Subject parcel comprising 2.224 acres, more or less, and subject to all easements of record.

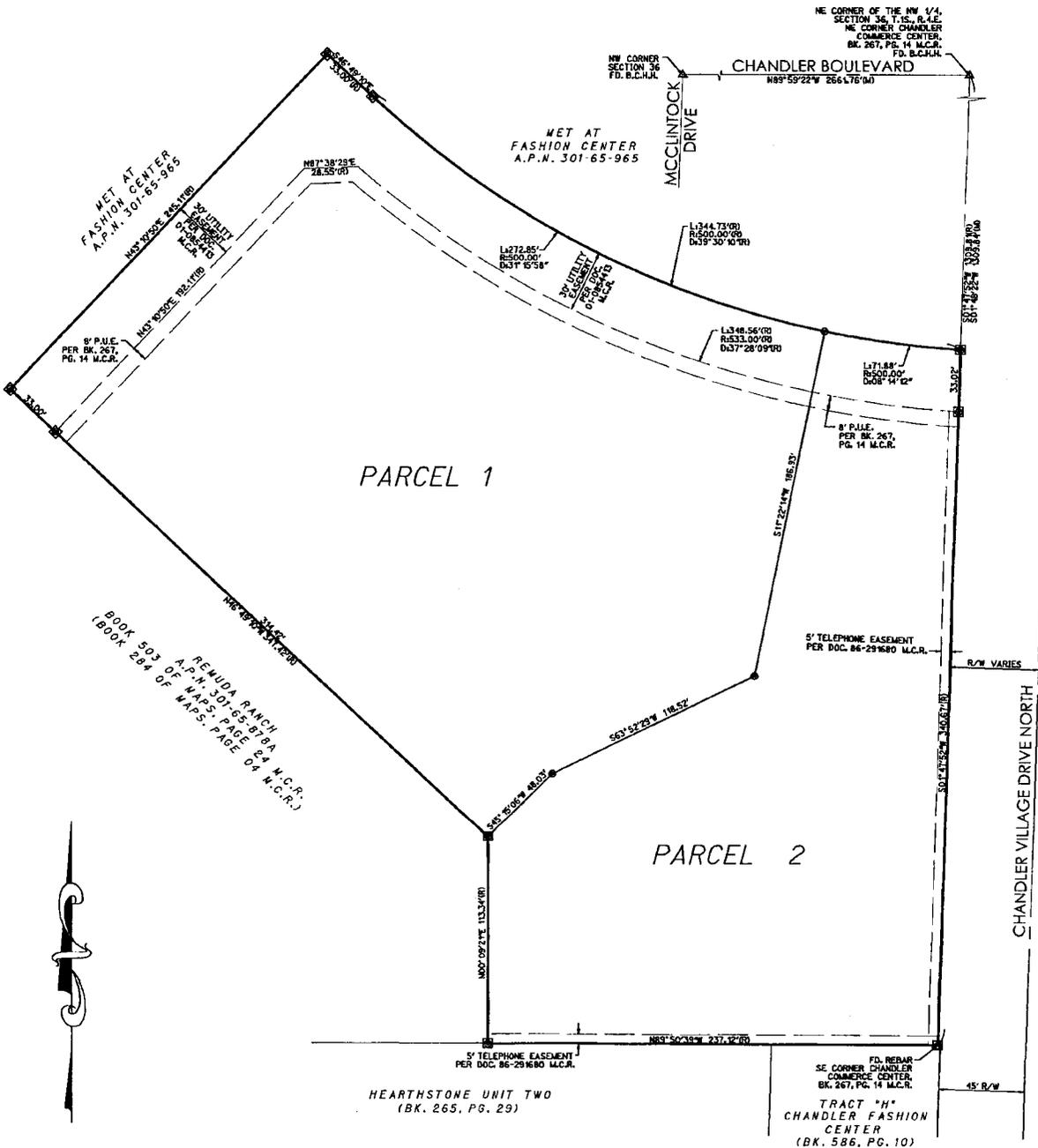
LEGAL DESCRIPTION

PARCEL 2:

A portion of CHANDLER COMMERCE CENTER as recorded in Book 267 of Maps, Page 14 Maricopa County records, situated in the northwest quarter of Section 36, Township 1 South, Range 4 East, Gila and Salt River Meridian, Maricopa County, Arizona, being more particularly described as follows:

COMMENCING at the northeast corner of said CHANDLER COMMERCE CENTER, marking the northeast corner of said northwest quarter of Section 36;
THENCE South 01 degree 47 minutes 52 seconds West, along the east line of said CHANDLER COMMERCE CENTER, 936.12 feet to the beginning of a non-tangent curve, the center of which bears North 03 degrees 40 minutes 40 seconds East, 500.00 feet to the POINT OF BEGINNING;
THENCE westerly, along the arc of said curve to the right, through a central angle of 08 degrees 14 minutes 12 seconds for an arc distance of 71.88 feet;
THENCE South 11 degrees 22 minutes 14 seconds West, 186.93 feet;
THENCE South 63 degrees 52 minutes 29 seconds West, 118.52 feet;
THENCE South 45 degrees 15 minutes 06 seconds West, 48.03 feet to a point on the east line of COUNTRY CROSSING as recorded in Book 284 of Maps, Page 4 Maricopa County records;
THENCE South 00 degrees 09 minutes 21 seconds West, along said east line, 113.34 feet to a point on said south line of CHANDLER COMMERCE CENTER;
THENCE South 89 degrees 50 minutes 39 seconds East, along said south line, 237.12 feet to a point on said east line of CHANDLER COMMERCE CENTER;
THENCE North 01 degree 47 minutes 52 seconds East, along the east line of said CHANDLER COMMERCE CENTER, 373.69 feet to the POINT OF BEGINNING.

Subject parcel comprising 1.339 acres, more or less, and subject to all easements of record.



ELEMENT HOTEL

3eengineering
 planning civil engineering surveying

PARCEL EXHIBIT

3 ENGINEERING, LLC
 2929 E. CAMELBACK ROAD, SUITE # 116 - PHOENIX, ARIZONA 85016
 PHONE: (602) 334-4387 - FAX: (602) 490-3230
 WWW.3ENGINEERING.COM

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| DATE: | PROJECT NO. |
| 11/25/14 | 1005 |