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**ORDINANCE NO. 4598**

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL(S) FROM PLANNED AREA DEVELOPMENT (PAD) FOR COMMUNITY COMMERCIAL DISTRICT (C-2) USES TO PAD FOR C-2 USES AND SELF-STORAGE/MINI-WAREHOUSE (DVR14-0035 MODERN STORAGE) 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 Planned Area Development (PAD) for Community Commercial District (C-2) uses to PAD for C-2 uses and Self-Storage/Mini-Warehouse, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "MODERN STORAGE" and kept on file in the City of Chandler Planning Division, in File No. DVR14-0035, 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. Unless otherwise included as part of the City's Capital Improvement Program, 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.
6. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
7. 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.

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.



## S.E.C. Arizona Ave & Germann Rd – Legal Description 'A'

THE NORTH HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

EXCEPT THE NORTH 55 FEET, AND

EXCEPT THE WEST 33 FEET; AND

EXCEPT COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 10;

THENCE SOUTH 00 DEGREES 30 MINUTES 50 SECONDS EAST, ALONG THE WEST LINE OF SAID SECTION 10, 54.67 FEET;

THENCE DEPARTING SAID WEST LINE, NORTH 89 DEGREES 29 MINUTES 10 SECONDS EAST, 33.00 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF ARIZONA AVENUE AND THE POINT OF BEGINNING;

THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY LINE, NORTH 88 DEGREES 54 MINUTES 52 SECONDS EAST, ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF GERMAN ROAD, 37.91 FEET;

THENCE DEPARTING SAID SOUTHERLY RIGHT-OF-WAY LINE, SOUTH 44 DEGREES 11 MINUTES 30 SECONDS WEST, 35.53 FEET;

THENCE SOUTH 00 DEGREES 31 MINUTES 53 SECONDS EAST, 150.31 FEET;

THENCE SOUTH 02 DEGREES 54 MINUTES 08 SECONDS WEST, 100.61 FEET TO THE SOUTH LINE OF SAID NORTH HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 10;

THENCE SOUTH 88 DEGREES 55 MINUTES 00 SECONDS WEST, ALONG SAID SOUTH LINE, 6.97 FEET TO SAID EASTERLY RIGHT-OF-WAY LINE OF ARIZONA AVENUE;

THENCE DEPARTING SAID SOUTH LINE, NORTH 00 DEGREES 30 MINUTES 50 SECONDS WEST, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, 275.69 FEET TO THE POINT OF BEGINNING, AS CONVEYED TO CITY OF CHANDLER, AN ARIZONA MUNICIPAL CORPORATION IN QUIT CLAIM DEED RECORDED IN DOCUMENT NO. 98-0013767, MARICOPA COUNTY RECORDS; AND

EXCEPT COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 10;

THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, ALONG THE NORTH LINE OF SAID SECTION 10, 661.05 FEET;

THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, 33.00 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 00 DEGREES 36 MINUTES 14 SECONDS WEST, 27.00 FEET;

THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, 595.12 FEET;

THENCE NORTH 45 DEGREES 16 MINUTES 38 SECONDS EAST, 7.11 FEET;

THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, 37.91 FEET;

THENCE NORTH 00 DEGREES 34 MINUTES 30 SECONDS EAST, 22.00 FEET;

THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, 628.05 FEET TO THE POINT OF BEGINNING, AS CONVEYED TO MARICOPA COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF ARIZONA BY FINAL ORDER OF CONDEMNATION RECORDED IN DOCUMENT NO. 98-583268, MARICOPA COUNTY RECORDS; AND

EXCEPT A PORTION OF THE PARCEL DESCRIBED IN DOCUMENT NUMBER 2007-1277299, OFFICIAL RECORDS OF MARICOPA COUNTY, SITUATED IN THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A BRASS CAP IN HAND HOLE AT THE NORTHWEST CORNER OF SAID SECTION 10, FROM WHICH A BRASS CAP IN HAND HOLE AT THE NORTH QUARTER CORNER OF SAID SECTION 10 BEARS NORTH 88 DEGREES 54 MINUTES 19 SECONDS EAST (AN ASSUMED BEARING) AT A DISTANCE OF 2644.65 FEET;

THENCE NORTH 88 DEGREES 54 MINUTES 19 SECONDS EAST, ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 10, FOR A DISTANCE OF 245.07 FEET;

THENCE SOUTH 00 DEGREES 31 MINUTES 13 SECONDS EAST FOR A DISTANCE OF 75.00 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 75 FEET OF THE NORTHWEST QUARTER OF SAID SECTION 10, SAID POINT BEING THE POINT OF BEGINNING;

THENCE NORTH 88 DEGREES 54 MINUTES 19 SECONDS EAST, ALONG SAID SOUTH LINE, FOR A DISTANCE OF 48.69 FEET;

THENCE SOUTH 72 DEGREES 13 MINUTES 44 SECONDS WEST FOR A DISTANCE OF 3.48 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 76 FEET OF THE NORTHWEST QUARTER OF SAID SECTION 10;

THENCE SOUTH 88 DEGREES 54 MINUTES 19 SECONDS WEST, ALONG SAID SOUTH LINE, FOR A DISTANCE OF 42.49 FEET;

THENCE NORTH 71 DEGREES 50 MINUTES 32 SECONDS WEST FOR A DISTANCE OF 3.03 FEET TO THE POINT OF BEGINNING; AS ACQUIRED BY THE CITY OF CHANDLER IN FINAL ORDER OF CONDEMNATION RECORDED DECEMBER 06, 2010 AS 10-1060618 OF OFFICIAL RECORDS; AND

EXCEPT A PORTION OF THAT PARCEL DESCRIBED IN DOCUMENT NUMBER 2005-1478525, OFFICIAL RECORDS OF MARICOPA COUNTY, SITUATED IN THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 2 SOUTH, RANGE 5 EAST, GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A BRASS CAP IN HAND HOLE AT THE NORTHWEST CORNER OF SAID SECTION 10, FROM WHICH A BRASS CAP IN HAND HOLE AT THE NORTH QUARTER CORNER OF SAID SECTION 10 BEARS NORTH 88 DEGREES 54 MINUTES 19 SECONDS EAST (AN ASSUMED BEARING) AT A DISTANCE OF 2644.65 FEET;

THENCE NORTH 88 DEGREES 54 MINUTES 19 SECONDS EAST, ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 10, FOR A DISTANCE OF 177.85 FEET;

THENCE SOUTH 00 DEGREES 31 MINUTES 13 SECONDS EAST FOR A DISTANCE OF 60.00 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 60 FEET OF THE NORTHWEST QUARTER OF SAID SECTION 10, SAID POINT BEING THE POINT OF BEGINNING;

THENCE NORTH 88 DEGREES 54 MINUTES 19 SECONDS EAST ALONG SAID SOUTH LINE, FOR A DISTANCE OF 165.83 FEET;

THENCE SOUTH 72 DEGREES 13 MINUTES 44 SECONDS WEST FOR A DISTANCE OF 52.27 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 75 FEET OF THE NORTHWEST QUARTER OF SAID SECTION 10;

THENCE SOUTH 88 DEGREES 54 MINUTES 19 SECONDS WEST, ALONG SAID SOUTH LINE FOR A DISTANCE OF 48.69 FEET;

THENCE NORTH 71 DEGREES 50 MINUTES 32 SECONDS WEST FOR A DISTANCE OF 16.20 FEET;

THENCE NORTH 80 DEGREES 31 MINUTES 40 SECONDS WEST FOR A DISTANCE OF 52.67 FEET TO THE POINT OF BEGINNING; AS ACQUIRED BY THE CITY OF CHANDLER IN FINAL ORDER OF CONDEMNATION RECORDED DECEMBER 06, 2010 AS 10-1060618 OF OFFICIAL RECORDS.