

#3

APR 16 2015

**ORDINANCE NO. 4618**

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM AGRICULTURAL DISTRICT (AG-1) TO PLANNED AREA DEVELOPMENT (PAD) FOR RESIDENTIAL IN CASE (DVR15-0004 ARTESIAN PLACE) 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 Planned Area Development (PAD) for Residential, subject to the following conditions:

1. Development shall be in substantial conformance Exhibit A, Development Booklet, entitled "ARTESIAN PLACE", kept on file in the City of Chandler Planning Division, in File No. DVR15-0004, 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. 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. Homebuilder will advise all prospective homebuyers of the information on future City facilities contained in the City Facilities map found at [www.chandleraz.gov/infomap](http://www.chandleraz.gov/infomap), or available from the City's Communication and Public Affairs Department. The homebuilder shall post a copy of the City Facilities map in the sales office showing the location of future and existing City facilities.
6. Prior to the time of making any lot reservations or subsequent sales agreements, the subdivider/homebuilder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the subdivision is located adjacent to or nearby a City treatment facility adjacent to Artesian Place that may cause adverse noise, odors, and other externalities. The "Public Subdivision Report", "Purchase Contracts", CC&R's, and the individual lot property deeds shall include a disclosure statement outlining that the site is adjacent to or nearby a City treatment facility, and the disclosure shall state that such uses are legal and should be expected to continue indefinitely. The disclosure shall be presented to prospective homebuyers on a separate, single form for them to read and sign prior to or simultaneously with executing a purchase agreement. This responsibility for notice rests with the subdivider/homebuilder/lot developer and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.

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 \_\_\_\_\_, 2015.

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**

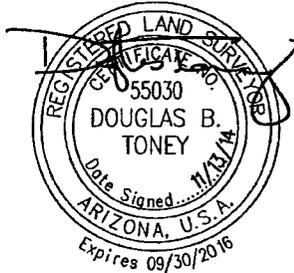
I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 4618 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the \_\_\_\_ day of \_\_\_\_\_, 2015, and that a quorum was present thereat.

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY KSM

PUBLISHED:



## EXHIBIT 'A'

### LEGAL DESCRIPTION RESIDENTIAL 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;

**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 TO THE **POINT OF BEGINNING**;

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

EXHIBIT 'A'

Ord 4618  
Attachment 'A'

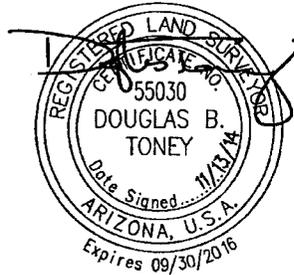
PAGE 2 OF 2

**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 SOUTH 00° 03' 27" WEST, ALONG SAID EAST LINE, A DISTANCE OF 308.87 FEET;**

**THENCE NORTH 89° 34' 00" EAST, PARALLEL WITH THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 24, A DISTANCE OF 343.19 FEET TO THE POINT OF BEGINNING.**

SAID PARCEL CONTAINS 105,506 SQUARE FEET OR 2.4221 ACRES, MORE OR LESS.

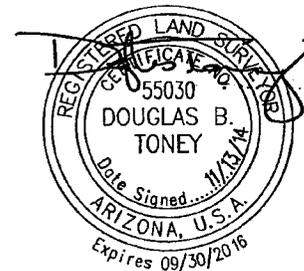




Ord 4618 Attachment A'

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	308.87'	S00°03'27"W
L13	343.19'	N89°34'00"E
L14	548.17'	N00°03'27"E
L15	192.94'	N89°34'00"E
L16	282.00'	N00°03'27"E



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 RESIDENTIAL 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: