

#4  
MAY 28 2015

**ORDINANCE NO. 4628**

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 SINGLE-FAMILY RESIDENTIAL IN CASE DVR14-0043 (COOPER AND CHANDLER HEIGHTS) 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 AG-1 to PAD for single-family residential, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "Cooper and Chandler Heights" and kept on file in the City of Chandler Planning Division, in File No. DVR14-43, 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. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.

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. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual #4).
5. 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.
6. 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.
7. 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.
8. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or homeowners' association.
9. Prior to the time of making any lot reservations or subsequent sales agreements, the 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 existing ranchette and animal privilege properties 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 agricultural properties that have horse and animal privileges and shall state that such uses are legal and should be expected to continue indefinitely. This responsibility for notice rests with the homebuilder/lot developer, and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.



**COOPER/CHANDLER HEIGHTS  
OVERALL BOUNDARY  
LEGAL DESCRIPTION**

A portion of land being situated within the Northwest quarter of Section 25, Township 2 South, Range 5 East of the Gila and Salt River Meridian, Maricopa County, Arizona, being more particularly described as follows:

**COMMENCING** at a found Maricopa County Highway Department brass cap in hand hole accepted as the North quarter corner of said Section 25, from which a found Maricopa County Department of Transportation brass cap in hand hole accepted as the Center of said Section 25 bears South 00°07'45" East, 2644.23 feet;

Thence along the North-South Mid-Section line of said Section 25, South 00°07'45" East, 770.14 feet to the **POINT OF BEGINNING**;

Thence continuing along said North-South Mid-Section line and the westerly line of the Final Plat of Circle G at Riggs Homestead Ranch Unit V, as recorded in Book 511, Page 46, Records of Maricopa County, Arizona, South 00°07'45" East, 487.66 feet, to a non-tangent curve, concave southeasterly, having a radius of 740.00 feet, the center of which bears South 71°12'16" East;

Thence leaving said North-South Mid-Section line and continuing along said westerly line and southwesterly along said curve, through a central angle of 11°29'13", an arc length of 148.36 feet to a non-tangent line, said line being the north line of the Final Plat of Circle G at Riggs Homestead Ranch Unit IV, as recorded in Book 452, Page 08, Records of Maricopa County, Arizona;

Thence leaving said westerly line and along said north line, North 89°57'03" West, 1282.02 feet, to the west line of the east half of the Northwest quarter of said Section 25;

Thence leaving said north line and along said west line, North 00°03'59" West, 1168.93 feet, to a line that is parallel with and 220.00 feet south of the north line of said Northwest quarter;

Thence leaving said west line and along said parallel line, North 89°28'28" East, 466.01 feet, to a line that is parallel with and 466.00 feet east of the west line of the east half of said Northwest quarter;

Thence along last said parallel line, North 00°03'59" West, 220.01 feet, to the north line of said Northwest quarter;

Thence along said north line, North 89°28'28" East, 630.29 feet;

Thence leaving said north line, South 01°10'45" West, 769.72 feet;

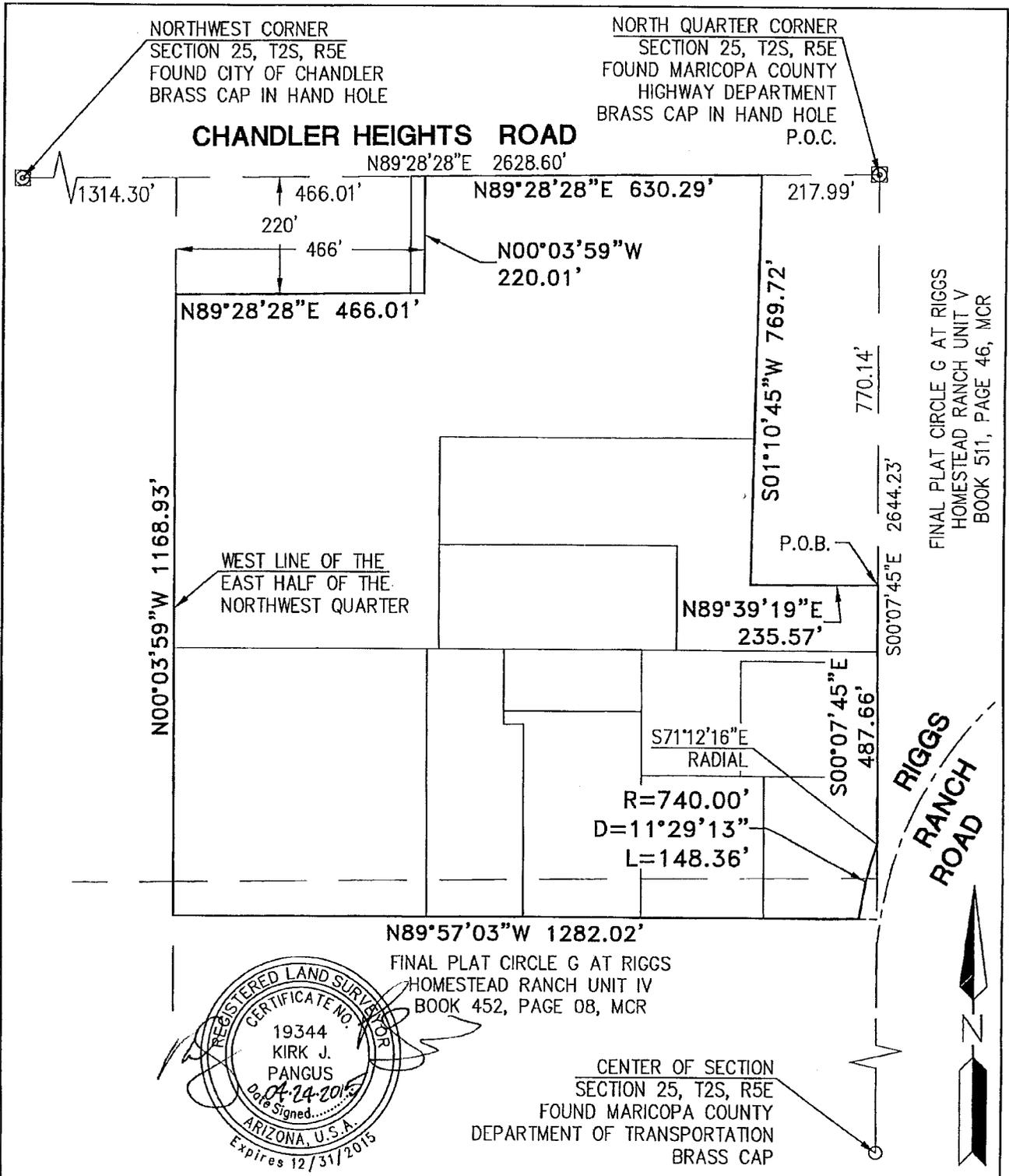
Thence North 89°39'19" East, 235.57 feet, to the **POINT OF BEGINNING**.

Said portion of land containing 1,555,258 s.f., or 35.7038 acres, more or less.

This description shown hereon is not to be used to violate subdivision regulations of the state, county and/or municipality of any other land division restrictions.

Prepared by: HilgartWilson  
2141 E Highland Ave., Suite 250  
Phoenix, AZ 85016  
Project No. 1496  
Date: April 24, 2015





PROJ.NO.: 1496	<b>COOPER/CHANDLER HEIGHTS</b> OVERALL BOUNDARY MARICOPA COUNTY, ARIZONA	<b>HILGARTWILSON</b> 2141 E. HIGHLAND AVE., STE. 250 PHOENIX, AZ 85016 P: 602.490.0535 / F: 602.368.2436
DATE: 04/23/15		
SCALE: 1"=250'	<b>EXHIBIT</b>	
DRAWN BY: JDL		
CHECKED BY: KJP		