



MEMORANDUM **Planning Division – CC Memo No. 15-088**

DATE: JULY 9, 2015

TO: MAYOR AND COUNCIL

THRU: MARSHA REED, ACTING CITY MANAGER *MR*
 JEFF KURTZ, PLANNING ADMINISTRATOR *J*
 KEVIN MAYO, PLANNING MANAGER *KH*

FROM: JODIE M. NOVAK, MEP, CPM, SENIOR CITY PLANNER *JMN*

SUBJECT: DVR15-0016 MADERAS
 Introduction and Tentative Adoption of Ordinance No. 4647

- Request: Amendment to the Planned Area Development (PAD) zoning and Preliminary Development Plan (PDP) for a low-density single-family residential development
- Location: West of the northwest corner of Cooper Road and Markwood Drive, south of Queen Creek Road
- Applicant: Ed Bull, Burch & Cracchiolo, P.A.
- Project Info: Approximately 14 acres, gated subdivision with 22 single-family lots ranging in size from 20,000 to 22,000 square feet; 1.49 du/ac

RECOMMENDATION

Planning Commission and Planning Staff, upon finding the Rezoning and Preliminary Development Plan (PDP) request to be consistent with the General Plan and Chandler Airpark Area Plan, recommend approval subject to conditions.

BACKGROUND

In March 2006, the subject property was annexed and zoned Planned Area Development (PAD) for single-family residential with PDP approval for a 22-lot custom home subdivision. The development standards served as guidelines for one- and two-story custom homes with optional basements.

The property is surrounded by rural agrarian single-family residential homes on large lots to the west and south. East of the property is land zoned for a Catholic church. To the north is an office condominium development.

The request is to amend the existing PAD zoning conditions in Ordinance No. 3780 as well as elements of the existing PDP regarding housing and site design. The Ordinance includes conditions relating to vesting of zoning, the location of one- and two-story homes, floor plan and elevation placement, replication of roof slopes on adjacent lots, and design of entry pavement, and tot lot location. The new Ordinance reflects the deletion of conditions that have been met, deletion of conditions that are modified through other conditions, and modified conditions as follows.

Condition No. 11 limits the entire subdivision to one-story homes. The proposed modification allows two-story homes except for Lots 7, 12, 13, 18, and 19 located along the west property line. Condition No. 12 prohibits no more than two identical side-by-side roof slopes on adjacent lots. This condition is deleted and instead represented by a modified Condition No. 13. The new Condition No. 13 reads no homes that are side-by-side or directly across the street from each other shall have the exact same floor plan and exterior building elevation. Conditions 23 and 25 have been met by the development regarding design of pavement edge and tot lot relocation; therefore, the conditions are deleted. All other conditions in the original Ordinance remain.

Planning Staff is working with the development to update components of the landscape plan and wall plan. Landscaping species and materials are better applied to the development to meet City standards. Some existing walls and planned walls are being updated with materials while maintaining conformance with the approved plans.

In addition, the request includes modifications to development guidelines including building height, building setbacks, maximum lot coverage, and housing product architectural design standards. The original PDP was approved for custom homes which included development and architectural guidelines. The proposal requests to allow custom, semi-custom, or production home development. Housing plans would be reviewed by Planning Staff as an administrative review and approval upon meeting the new development guidelines.

Development criteria includes a 30-foot rear yard building setback for two-story homes, front yard setbacks accommodating all housing plans, and a greater maximum lot coverage. Additional standards are proposed to accommodate production housing product. The standards are further represented in the Development Booklet.

With the lots being greater than 12,000 square feet, Residential Development Standards for housing design are not required. However, the development's design guidelines incorporate several diversity elements including four-sided architecture, a variety of roofing styles, break-up main roof ridgelines, durable exterior materials, recess garage doors, standard rear yard covered patios, and a variety of architectural styles.

DISCUSSION

Planning Staff finds the proposed changes to be consistent with development standards occurring in other developments with similar lot sizes. The administrative review process for housing plans is appropriate given the specific development guidelines established in the Development Booklet which incorporate many Residential Development Standards for architectural diversity.

There are a series of conditions being deleted or modified from the prior Ordinance No. 3780. Some of these conditions are PDP related; therefore, new conditions are added in the PDP recommended action.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on May 21, 2105. One area resident who lives immediately south of Markwood Drive attended the meeting. The resident is not opposed to the project but had concerns about storm water ponding adjacent to his property. The developer and the property owner will work together to address what is occurring and come to a resolution.
- As of the writing of this memo, Planning Staff is not aware of any concerns or opposition.

PLANNING COMMISSION VOTE REPORT

Motion to Approve.

In Favor: 6 Opposed: 0 Absent: 1 (Ryan)

RECOMMENDED ACTIONS

Rezoning

Planning Commission and Planning Staff, upon finding consistency with the General Plan and Chandler Airpark Area Plan, recommend approval of the Rezoning subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "MADERAS", kept on file in the City of Chandler Planning Division, in File No. DVR15-0016, except as modified by condition herein.
2. Compliance with original conditions adopted by the City Council as Ordinance No. 3780 (DVR05-0050 Maderas), except as modified by condition herein.
3. Condition No. 2 of Ordinance No. 3780 shall be deleted.
4. Condition No. 10 of Ordinance No. 3780 shall be deleted.
5. Condition No. 11 of Ordinance No. 3780 shall be deleted.
6. Condition No. 12 of Ordinance No. 3780 shall be deleted.
7. Condition No. 13 of Ordinance No. 3780 shall be deleted.
8. Condition No. 23 of Ordinance No. 3780 shall be deleted.
9. Condition No. 25 of Ordinance No. 3780 shall be deleted.

Preliminary Development Plan

Planning Commission and Planning Staff, upon finding consistency with the General Plan and Chandler Airpark Area Plan, recommend approval of the Preliminary Development Plan subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "MADERAS", kept on file in the City of Chandler Planning Division, in File No. DVR15-0016, except as modified by condition herein.
2. Compliance with original conditions adopted by the City Council as Ordinance No. 3780 (DVR05-0050 Maderas), except as modified by condition herein.
3. All homes along the west property line of this development (Lots 7, 12, 13, 18, and 19) are limited to one-story homes, a maximum of 24 feet in building height.
4. No homes that are side-by-side or directly across the street from each other shall have the exact same floor plan and exterior building elevation.

PROPOSED MOTIONS

Rezoning

Move to introduce and tentatively adopt Ordinance No. 4647 approving rezoning request DVR15-0016 MADERAS from PAD (Single-Family Residential) to an amended PAD (Single-Family Residential) for a single-family residential subdivision, subject to the conditions as recommended by Planning Commission and Planning Staff.

Preliminary Development Plan

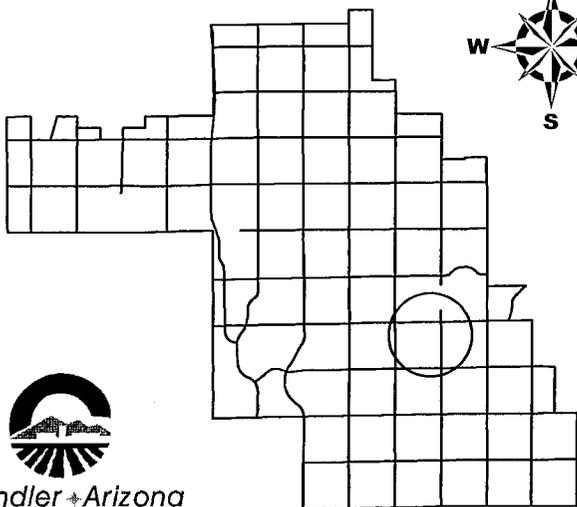
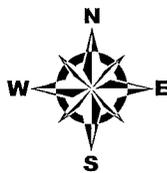
Move to approve Preliminary Development Plan request DVR15-0016 MADERAS for a single-family residential subdivision, subject to the conditions as recommended by Planning Commission and Planning Staff.

Attachments

1. Vicinity Maps
2. Site Plan/Final Plat
3. Landscape Plan portion
4. Wall Plan and Elevations
5. Original Ordinance No. 3780 (DVR05-0050)
6. Ordinance No. 4647
7. Development Booklet, Exhibit A

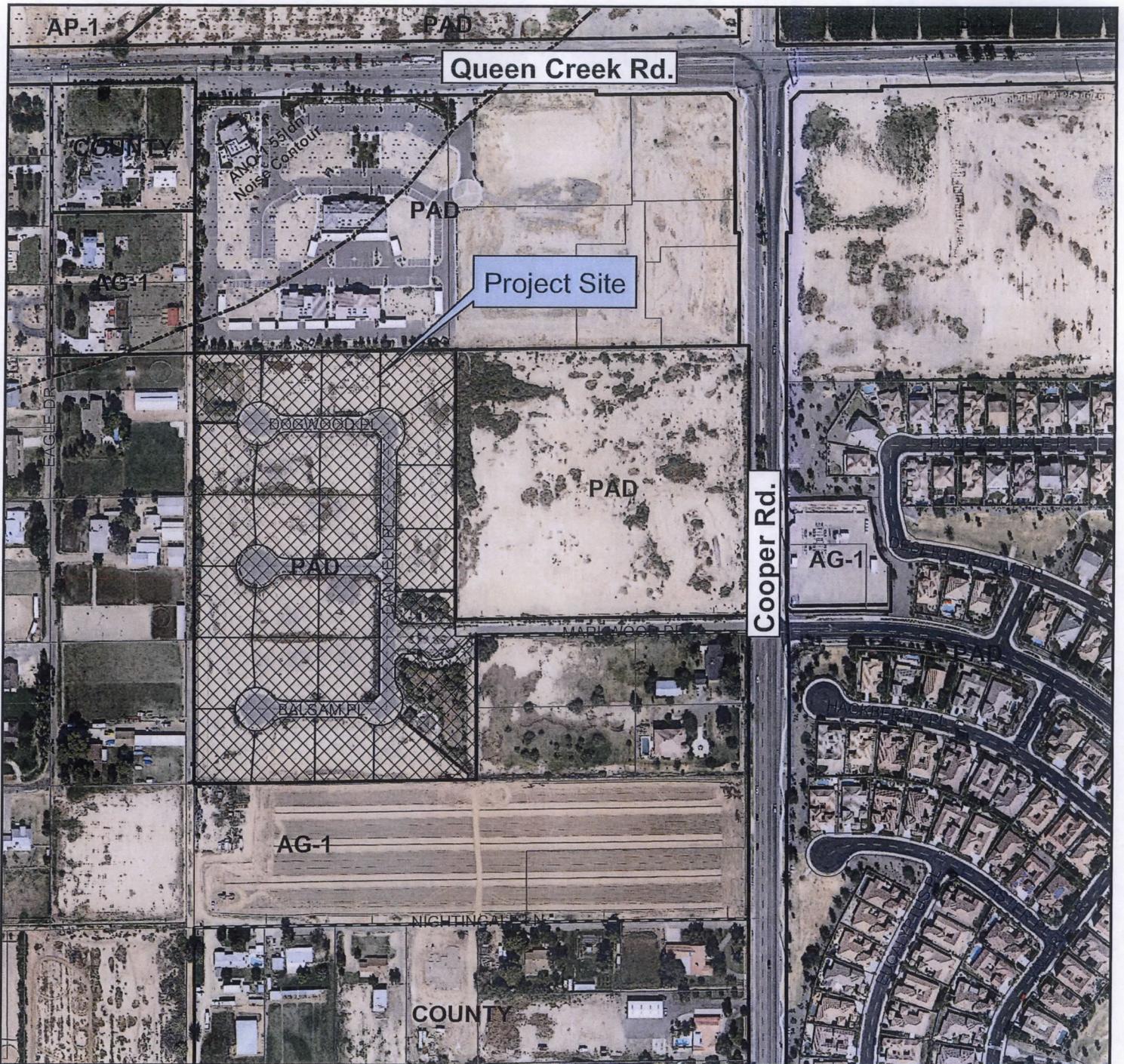


Vicinity Map



DVR15-0016

Maderas



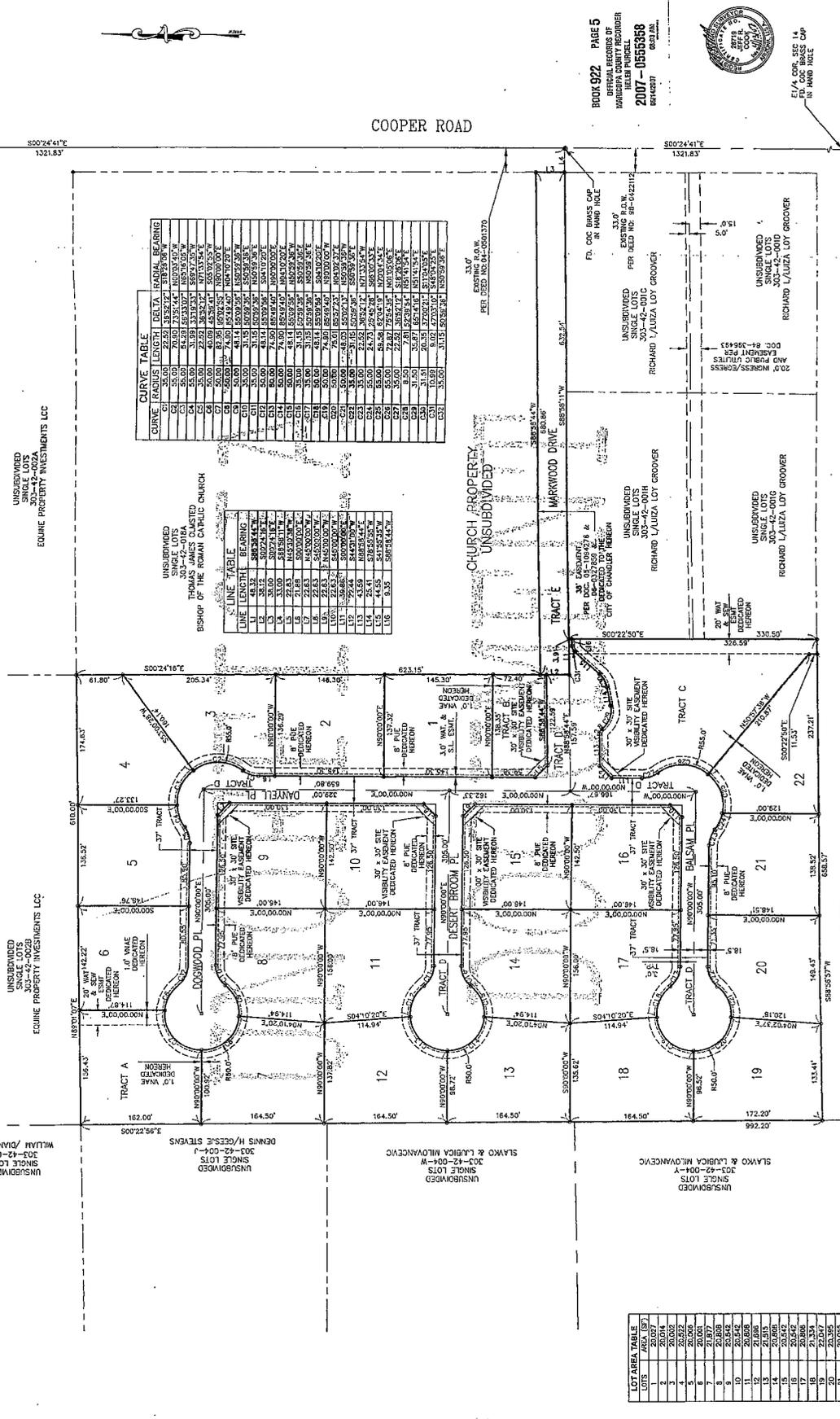
Vicinity Map



DVR15-0016

Maderas

FINAL PLAT OF "MADERAS"



CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA	RADIAL BEARING
C1	35.00	22.52	85.52°E	89.26°W
C2	35.00	22.52	85.52°E	89.26°W
C3	35.00	22.52	85.52°E	89.26°W
C4	35.00	22.52	85.52°E	89.26°W
C5	35.00	22.52	85.52°E	89.26°W
C6	35.00	22.52	85.52°E	89.26°W
C7	35.00	22.52	85.52°E	89.26°W
C8	35.00	22.52	85.52°E	89.26°W
C9	35.00	22.52	85.52°E	89.26°W
C10	35.00	22.52	85.52°E	89.26°W
C11	35.00	22.52	85.52°E	89.26°W
C12	35.00	22.52	85.52°E	89.26°W
C13	35.00	22.52	85.52°E	89.26°W
C14	35.00	22.52	85.52°E	89.26°W
C15	35.00	22.52	85.52°E	89.26°W
C16	35.00	22.52	85.52°E	89.26°W
C17	35.00	22.52	85.52°E	89.26°W
C18	35.00	22.52	85.52°E	89.26°W
C19	35.00	22.52	85.52°E	89.26°W
C20	35.00	22.52	85.52°E	89.26°W
C21	35.00	22.52	85.52°E	89.26°W
C22	35.00	22.52	85.52°E	89.26°W

LINE TABLE

LINE	LENGTH	BEARING
L1	35.00	89.26°W
L2	35.00	89.26°W
L3	35.00	89.26°W
L4	35.00	89.26°W
L5	35.00	89.26°W
L6	35.00	89.26°W
L7	35.00	89.26°W
L8	35.00	89.26°W
L9	35.00	89.26°W
L10	35.00	89.26°W
L11	35.00	89.26°W
L12	35.00	89.26°W
L13	35.00	89.26°W
L14	35.00	89.26°W
L15	35.00	89.26°W
L16	35.00	89.26°W
L17	35.00	89.26°W
L18	35.00	89.26°W
L19	35.00	89.26°W
L20	35.00	89.26°W
L21	35.00	89.26°W
L22	35.00	89.26°W

LOT AREA TABLE

LOTS	AREA (SQ. FT.)
1	20,000
2	20,000
3	20,000
4	20,000
5	20,000
6	20,000
7	20,000
8	20,000
9	20,000
10	20,000
11	20,000
12	20,000
13	20,000
14	20,000
15	20,000
16	20,000
17	20,000
18	20,000
19	20,000
20	20,000
21	20,000
22	20,000

BOOK 922 PAGE 5
OFFICIAL RECORDS OF
SARAPIA COUNTY RECORDER
2007-055558
RECORD



E 1/4 COR. SEC. 14
E 1/4 COR. BRASS CAP
IN HAND INDEX

REVISIONS

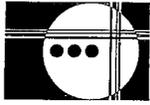
NO.	DATE	BY	DESCRIPTION
1	05/29/06	REVIEW	RR DK JC

SCALE: AS SHOWN
SHEET 2 OF 2



UNSUBDIVIDED
303-42-001-K
WILLIAM VALENTIC

Site Plan / Final Plat



GILMORE
PLANNING & LANDSCAPE ARCHITECTURE

2311 N. 9th Street
Phoenix, AZ 85008
P: 602.241.0700
www.gilmore.com

PLANNING
LANDSCAPE ARCHITECTURE

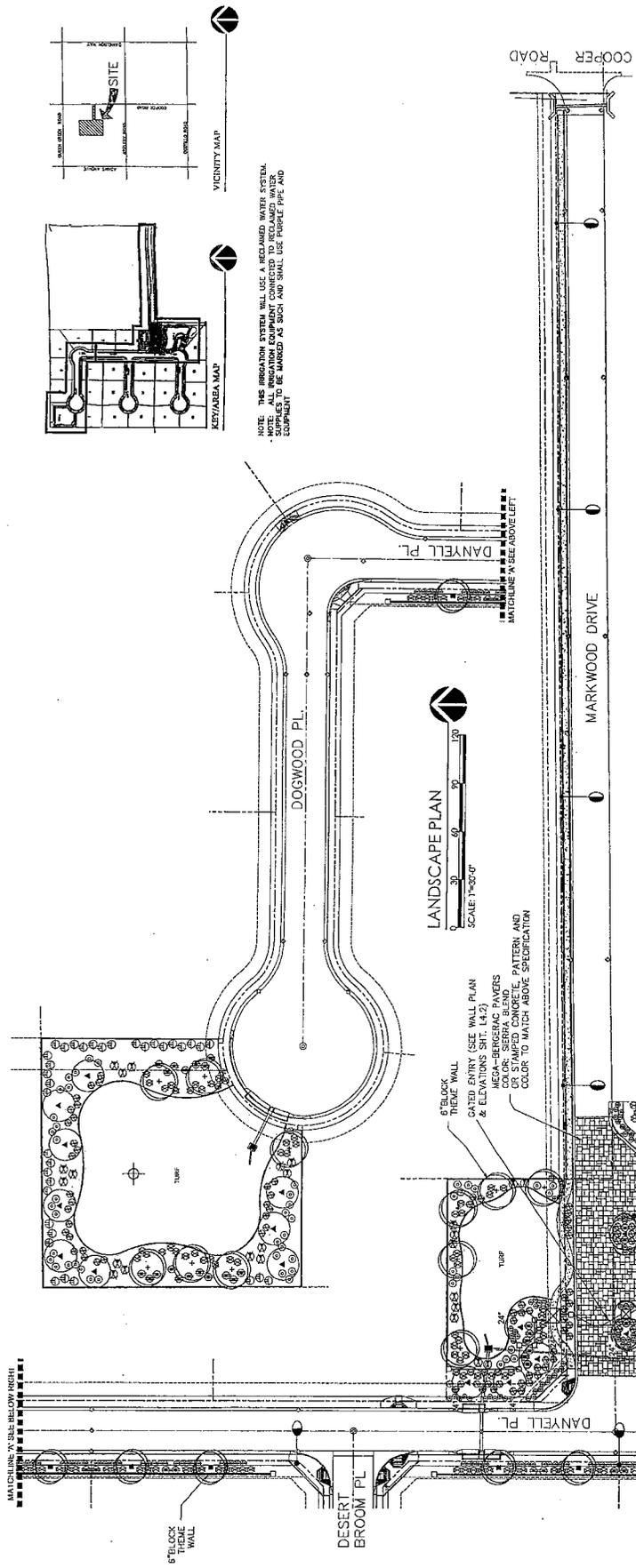
MADERAS
COOPER AND MARKWOOD DRIVE
CHANDLER, AZ
PREPARED FOR:

JOB NO. 10005
DRAWN BY: KCB
APPROVED BY: JAS
DATE: 04.11.11



REVISIONS
1. 2. 3. 4.

SHEET
11.1
2 OF 2



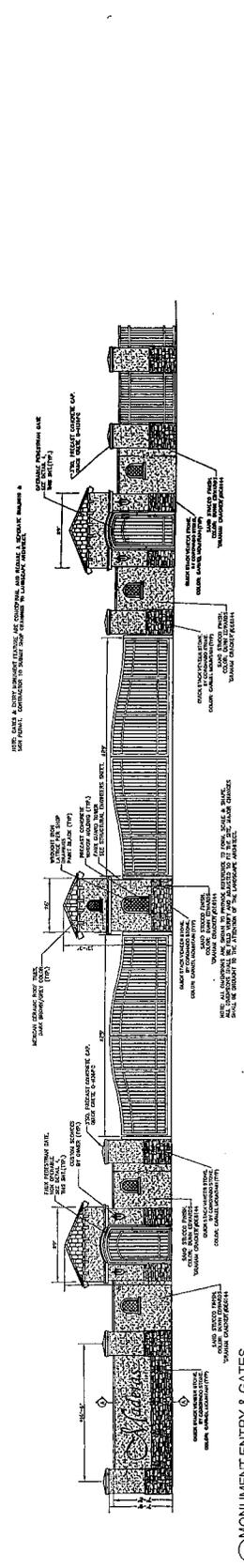
PLANT SCHEDULE

SYMBOL	LETO (AND) COMMON NAME	SIZE	CITY	REMARKS
▲	CERCIDIMUM PRAECOX PALE BIRCH	15 GAL	17	STATE AS REQUIRED
●	OLEA EUROPAEA "SWAN HILL" SWAN HILL OLIVE	24" BOX	8	STATE AS REQUIRED
+	PISTACIA CHINENSIS CHINESE NISTACHE	24" BOX	11	STATE AS REQUIRED
⊗	SHRUBS			
⊗	CAESALPINIA PULCHERRIMA SILVER CHINA	5 GAL	52	1 0PH/EMITTER
⊗	DODONAEA VISCOSA POISONIVY	5 GAL	88	1 0PH/EMITTER
⊗	LEUCOPHYLLON HOPEWELL BUSH	5 GAL	53	1 0PH/EMITTER
⊗	ROSA BRANCO SAGE ROSA BRANCO SAGE	5 GAL	197	1 0PH/EMITTER
⊗	RUELLIA PENINSULARIS ROSE HEAVEN	5 GAL	39	1 0PH/EMITTER
⊗	TECOMA SERRA AFRICOT "SERRA AFRICOT"	5 GAL	167	1 0PH/EMITTER
⊗	ACCENTS			
⊗	ACENTROSE BAY FLORA RED YUCCA	5 GAL	167	1 0PH/EMITTER
⊗	GROUNDCOVER			
⊗	CHYNDICANTHUS VIBICIFOLIO NEW GROUND COVER	500	34	3000 # PER 500 SPRAY
⊗	LANZANA SPH. NEW GROUND COVER	1 GAL	108	1 0PH/EMITTER
⊗	CONCRETE HEADER			SEE DETAIL
⊗	DECOMPOSED GRANITE "SERRA GRANITE"	1/2" SCREENED		7. DETAIL ALL LANDSCAPE AREAS

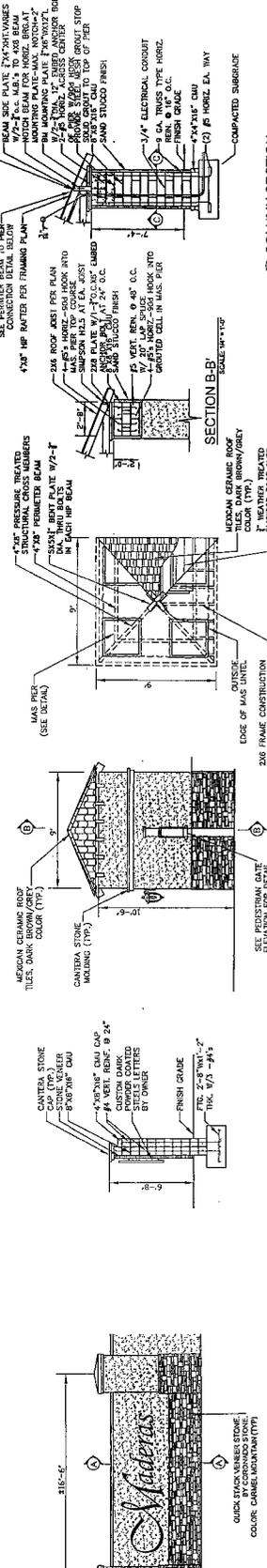
LANDSCAPE NOTES

1. CONTRACTOR TO VERIFY LOCATIONS FROM LOCAL AGENCIES AND UTILITY COMPANIES HAVING JURISDICTION OVER THIS SITE.
2. CONTRACTOR SHALL PROVIDE ALL LABOR, MATERIALS, AND EQUIPMENT NECESSARY TO INSTALL THE WORK INDICATED ON THE LANDSCAPE DOCUMENTS. HE SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND COORDINATION WITH OTHER CONTRACTORS ON-SITE PRIOR TO ANY INSTALLATION. ANY DISCREPANCIES SHALL IMMEDIATELY BE REPORTED TO THE ARCHITECT.
3. CONTRACTOR SHALL PROVIDE DETAILED DETAILS OF THE PLANS, AND COORDINATION WITH OTHER CONTRACTORS ON-SITE PRIOR TO ANY INSTALLATION. ANY DISCREPANCIES SHALL IMMEDIATELY BE REPORTED TO THE ARCHITECT.
4. PRIOR TO INITIATING THESE LANDSCAPE IMPROVEMENTS, THE LANDSCAPE CONTRACTOR MUST SCHEDULE A PRE-CONSTRUCTION MEETING WITH THE ARCHITECT AND THE GENERAL CONTRACTOR. THE ARCHITECT'S REPRESENTATIVE AND THE LANDSCAPE ARCHITECT MUST BE PRESENT. THE PURPOSE OF THIS MEETING IS TO RESOLVE ANY EXISTING DISCREPANCIES AND TO ESTABLISH THE LANDSCAPE CONSTRUCTION DOCUMENTS AND THEREAFTER WHAT THE INSTALLATION OF ANY OF THESE PROPOSED IMPROVEMENTS, STREET IMPROVEMENTS, SHOULD BE SCHEDULED TO OCCUR AFTER THE COMPLETION OF CONCRETE AND UTILITIES EMPLOYMENTS INCLUDING ALL UNDERGROUND UTILITIES, MASS GRADING, AND DAMAGE TO EXISTING LANDSCAPES, UNDERGROUND UTILITIES, ELECTRICAL LINES, ETC. SHALL BE REPAIRED AT CONTRACTOR'S EXPENSE.
5. ALL QUANTITIES PROVIDED ARE FOR BEING GRASSES ONLY. LANDSCAPE CONTRACTORS SHALL VERIFY THE EXTENT OF THE LANDSCAPE ARCHITECT'S WORK.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL FINISH GRASSES IN LANDSCAPED AREAS. HE SHALL DETERMINE, WITH THE GENERAL CONTRACTOR, THE EXTENT OF BROOM GRASSING AND FINISH GRASSING TO BE PROVIDED FOR THE PROJECT SITE. FINISH GRASSING SHALL BE AS SPECIFIED BY THE ARCHITECT. FINISH GRASSING SHALL BE 2" BELOW THE TOP OF ADJACENT WALKS AND CURBS PRIOR TO RECEIVING MULCH OR DECOMPOSED GRANITE.
7. ALL QUANTITIES PROVIDED ARE FOR BEING GRASSES ONLY. LANDSCAPE CONTRACTORS SHALL VERIFY THE EXTENT OF THE LANDSCAPE ARCHITECT'S WORK.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL FINISH GRASSES IN LANDSCAPED AREAS. HE SHALL DETERMINE, WITH THE GENERAL CONTRACTOR, THE EXTENT OF BROOM GRASSING AND FINISH GRASSING TO BE PROVIDED FOR THE PROJECT SITE. FINISH GRASSING SHALL BE 2" BELOW THE TOP OF ADJACENT WALKS AND CURBS PRIOR TO RECEIVING MULCH OR DECOMPOSED GRANITE.
9. CONTRACTOR SHALL FINE GRADE ENTIRE LANDSCAPED AREA AS REQUIRED FOR INSTALLATION OF PLANTING. ALL GRASSES SHALL BE HEAT, RAKED SMOOTH AND BE FREE OF DEBRIS PRIOR TO RECEIVING MULCH OR DECOMPOSED GRANITE.
10. CONTRACTOR SHALL FINE GRADE ENTIRE LANDSCAPED AREA AS REQUIRED FOR INSTALLATION OF PLANTING. ALL GRASSES SHALL BE HEAT, RAKED SMOOTH AND BE FREE OF DEBRIS PRIOR TO RECEIVING MULCH OR DECOMPOSED GRANITE.
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13. CONTRACTOR SHALL FINE GRADE ENTIRE LANDSCAPED AREA AS REQUIRED FOR INSTALLATION OF PLANTING. ALL GRASSES SHALL BE HEAT, RAKED SMOOTH AND BE FREE OF DEBRIS PRIOR TO RECEIVING MULCH OR DECOMPOSED GRANITE.
14. STATE LOCATIONS OF ALL TREES FOR APPROVAL. TREES TO BE REMOVED SHALL BE IDENTIFIED BY THE ARCHITECT. PROVIDE SAMPLE OF SIZE AND COLOR FOR APPROVAL BY THE ARCHITECT.
15. ALL PLANT MATERIAL SHALL BE HEALTHY, VIGOROUS, WELL BRANCHED AND DENSELY FOLIATED (WHEN IN LEAF) AS IS TYPICAL FOR THE SPECIES. THEY SHALL HAVE HEALTHY, WELL DEVELOPED ROOT SYSTEMS (NOT POT BOUND), IN NORMAL LIMIT OF GROWTH CONSISTENT WITH INDUSTRY STANDARDS, AND FREE OF ANY BURRS, CUTS, OR OTHER ABNORMALITIES. PLANT MATERIAL SHALL BE HEALTHY, VIGOROUS, WELL BRANCHED AND DENSELY FOLIATED (WHEN IN LEAF) AS IS TYPICAL FOR THE SPECIES. THEY SHALL HAVE HEALTHY, WELL DEVELOPED ROOT SYSTEMS (NOT POT BOUND), IN NORMAL LIMIT OF GROWTH CONSISTENT WITH INDUSTRY STANDARDS, AND FREE OF ANY BURRS, CUTS, OR OTHER ABNORMALITIES. PLANT MATERIAL SHALL BE HEALTHY, VIGOROUS, WELL BRANCHED AND DENSELY FOLIATED (WHEN IN LEAF) AS IS TYPICAL FOR THE SPECIES. THEY SHALL HAVE HEALTHY, WELL DEVELOPED ROOT SYSTEMS (NOT POT BOUND), IN NORMAL LIMIT OF GROWTH CONSISTENT WITH INDUSTRY STANDARDS, AND FREE OF ANY BURRS, CUTS, OR OTHER ABNORMALITIES. PLANT MATERIAL SHALL BE HEALTHY, VIGOROUS, WELL BRANCHED AND DENSELY FOLIATED (WHEN IN LEAF) AS IS TYPICAL FOR THE SPECIES. THEY SHALL HAVE HEALTHY, WELL DEVELOPED ROOT SYSTEMS (NOT POT BOUND), IN NORMAL LIMIT OF GROWTH CONSISTENT WITH INDUSTRY STANDARDS, AND FREE OF ANY BURRS, CUTS, OR OTHER ABNORMALITIES.
16. BACKFILL MATERIALS, EXCEPT AS NOTED, TO BE COMPOSED OF 70% WHITE SOIL AND 30% DECOMPOSED GRANULAR BARK MULCH, AND 3 LBS. DISPERSED PER CUBIC YARD OF BACKFILL SOILED TREE - 4 TABLETS MAX. THE FOLLOWING RATES: 1 GALLON PLANT - 1 TABLET, 15 GALLON PLANT - 4 TABLETS, 5 GALLON PLANT - 2 TABLETS.
17. LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR ALL PLANTS SHOWN ON PLANTING PLAN. DO NOT SUBSTITUTE PLANTS BY TYPE OR QUANTITY WITHOUT WRITTEN APPROVAL FROM THE LANDSCAPE ARCHITECT OR OWNER'S AGENT.
18. CONTRACTOR SHALL VERIFY THE SELECTION OF PLANT MATERIAL THAT DOES NOT SATISFY THE INTENT OF THE LANDSCAPE DESIGN BASED ON: SIZE, SHAPE, EVIDENCE OF STRESS OR IMPROPER LOC.
19. CONTRACTOR SHALL VERIFY THE SELECTION OF PLANT MATERIAL THAT DOES NOT SATISFY THE INTENT OF THE LANDSCAPE DESIGN BASED ON: SIZE, SHAPE, EVIDENCE OF STRESS OR IMPROPER LOC.
20. PRIOR TO INITIATING THE BUDY MAINTENANCE PERIOD, COMPLETE ANY METAL FENCE LIST ITEMS. THEN OBTAIN APPROVAL FROM OWNER'S AGENT OF SUBSTANTIAL COMPLETION. CONTRACTOR TO THEN MAINTAIN LANDSCAPE WHICH MAY INCLUDE WATERING, WEEDING, PRUNING, AND MOWING (AGENCY OF ANY JURISDICTION THAT HAS JURISDICTION OVER THE PROJECT) THROUGHOUT THE BUDY MAINTENANCE PERIOD. SUBMIT WRITTEN REQUEST FOR FINAL FENCE LIST ONE WEEK PRIOR TO END OF MAINTENANCE PERIOD.
21. PROVIDE OWNER WITH A WRITTEN GUARANTEE OF ONE YEAR FOR ALL TREES AND SIX (6) MONTHS FOR ALL OTHER PLANT MATERIAL DATED FROM START OF MAINTENANCE PERIOD AGAINST DISEASE, DROUGHT, AND OTHER CAUSES OF MORTALITY. PROVIDE OWNER WITH WRITTEN INSTRUCTIONS ON Ongoing MAINTENANCE PROCEDURES TO BE ADOPTED IN ORDER TO PROTECT GUARANTEE. INCLUDE WATERING SCHEDULE AND FERTILIZER PROGRAM.

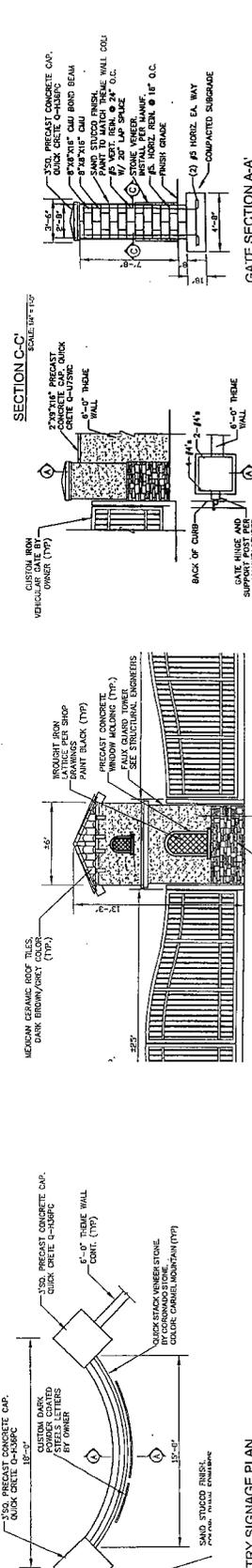
landscape portion



1 MONUMENT ENTRY & GATES



2 ENTRY SIGNAGE ELEVATION
3 ENTRY SIGNAGE SECTION A-A'
4 PEDESTRIAN GATE DETAILS
5 COLUMN SECTION
6 ENTRY SIGNAGE PLAN
7 GUARD TOWER AT ENTRY GATE
8 GATE SUPPORT COLUMN



9 GATE SUPPORT COLUMN

ENTRY MONUMENT & GATES

Handwritten notes: 'wall etc' and 'Sno'.

ORDINANCE NO. 3780

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM AG-1 TO PAD (DVR05-0050 MADERAS) 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, subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Maderas," kept on file in the City of Chandler Planning Services Division, in File No. DVR05-0050, 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. Road improvements for Markwood Drive to be in conformance with all City standards.
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. 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 landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent homeowners' association.
7. The covenants, conditions and restrictions (CC & R's) to be filed and recorded with the subdivision shall mandate the installation of front yard landscaping within 180 days from the date of occupancy with the homeowners' association responsible for monitoring and enforcement of this requirement.
8. Approval by the Director of Planning and Development of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Director of Public Works for arterial street median landscaping.
9. The source of water that shall be used on the open space, common areas, and landscape tracts shall be reclaimed water (effluent). If reclaimed water is not available at the time of construction, and the total landscapable area is 10 acres in size or greater, these areas will be irrigated and supplied with water, other than surface water from any irrigation district, by the owner of the development through sources consistent with the laws of the State of Arizona and the rules and regulations of the Arizona Department of Water Resources. If the total landscapable area is less than 10 acres in size, the open space common areas, and landscape tracts may be irrigated and supplied with water by or through the use of potable water provided by the City of Chandler or any other source that will not otherwise interfere with, impede, diminish, reduce, limit or otherwise adversely affect the City of Chandler's municipal water service area nor shall such provision of water cause a credit or charge to be made against the City of Chandler's gallons per capita per day (GPCD) allotment or allocation. However, when the City of Chandler has effluent of sufficient quantity and quality which meets the requirements of the Arizona Department of Environmental Quality for the purposes intended available to the property to support the open space, common areas, and landscape tracts available, Chandler effluent shall be used to irrigate these areas.

In the event the owner sells or otherwise transfers the development to another person or entity, the owner will also sell or transfer to the buyer of the development, at the buyer's option, the water rights and permits then applicable to the development. The limitation that the water for the development is to be owner-provided and the restriction provided for in the preceding sentence shall be stated on the final plat governing the development, so as to provide notice to any future owners. The Public Report, Purchase Contracts, and Final Plats shall include a disclosure statement outlining that the Maderas (DVR05-0050) development shall use treated effluent to maintain open space, common areas, and landscape tracts.

10. All homes built on corner lots within the residential subdivision shall be single-story.
11. All lots within the development are limited to one-story homes. Two-story homes are not permitted.
12. No more than two identical side-by-side roof slopes should be constructed on adjacent lots.

13. No more than two lots in the development shall have the exact same floor plan and/or exterior building elevation.
14. The tot lot shall be a minimum of 10 total play stations.
15. A minimum of two trees at a minimum of 2-inch caliper each shall be planted in all front yards.
16. Oleander trees and shrubs, Red Maple, Black Locust, Yew, St. John's Wort, White Oak (acorns), Cherry Trees, and Black Walnut plants are prohibited within the development.
17. Prior to the time of making any lot reservations or subsequent sales agreements, the home builder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the subdivision is located adjacent to 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 home builder/lot developer, and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.
18. 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, 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.
19. Prior to the time of making any lot reservations or subsequent sales agreements, the home builder/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 future heliport at the Chandler Municipal Airport 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 future heliport, 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 homebuilder/lot developer and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.
20. The following stipulations shall be the responsibilities of the sub-divider/homebuilder/developer and shall not be construed as a guarantee of disclosure by the City of Chandler:
 - a) Prior to any lot reservation or purchase agreement, any and all prospective homebuyers shall be given a separate disclosure statement, for their signature, fully acknowledging that this subdivision lies within the Chandler Municipal Airport Impact Overlay District, as specified in the Chandler Zoning Code. The disclosure statement shall acknowledge the proximity of this subdivision to the Chandler Airport and that an avigational easement exists and/or is required on the property, and further, shall acknowledge that

the property is subject to aircraft noise and overflight activity. This document signed by the homebuyer shall be recorded with Maricopa County Records Office upon sale of the property.

- b) The subdivider/homebuilder/developer shall also display, in a conspicuous place within the sales office, a map illustrating the location of the subdivision within the Airport Impact Overlay District, as well as the noise contours and overflight patterns, as identified and depicted in the document entitled *Chandler Municipal Airport, F. A. R. Part 150, Noise Compatibility Study, Noise Compatibility Program, Exhibit 6A (Potential Airport Influence Area)*, as adopted by the Chandler City Council (Resolution No. 2950, 11-5-98). Such map shall be a minimum size of 24" x 36".
- c) The above referenced information shall also be included within the Subdivision Public Report to be filed with the State of Arizona Department of Real Estate, as required by Arizona Revised Statute 28-8486 and Arizona Revised Statute 28-8464.
- d) Compliance with this condition shall be demonstrated by the subdivider/homebuilder/developer by submittal of a signed affidavit and photograph that acknowledges this disclosure and map display prior to beginning any sales activity. Failure to comply with this condition will result in revocation of the Administrative Use Permit for the temporary sales office. All requirements as set forth in this condition are the obligation of the subdivider/homebuilder/developer and shall not be construed as a guarantee of disclosure by the City of Chandler.
- e) The subdivider/homebuilder/developer shall provide the City with an avigational easement over the subject property in accordance with Section 3004 of the City of Chandler Zoning Code.
- f) All homes and buildings shall be designed and built with noise attenuation construction to achieve an interior noise level of 45 decibels for a single event from an aircraft. A registered engineer shall certify that the project is in conformance with this condition.
- g) The Final Plat shall contain the following statement on the cover sheet in a prominent location and in large text:

"This property is located within the Chandler Municipal Airport Impact Overlay District and is subject to aircraft noise and overflight activity, and is encumbered by an avigational easement to the City of Chandler."

- 21. Interior street lights shall be a reduced height decorative design pole with downward light fixtures.
- 22. The development shall provide, as presented in the Development Booklet, an 8-foot high perimeter wall along the west and south property lines.
- 23. The applicant shall work with Staff to re-design entry pavement to create a contiguous pavement edge along the south side.

24. Homebuilder/lot developer shall provide a one-page disclosure form, identifying with bullet points, those items or adjacencies as required by this ordinance to be disclosed with a signature line of acknowledgement for each bullet point item.

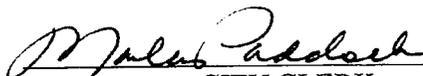
25. Relocate the tot lot at the northwest corner of the development to the open space area near the main entrance.

SECTION II. Except where provided, nothing contained herein shall be construed to be and abridgment of any other ordinance of the City of Chandler.

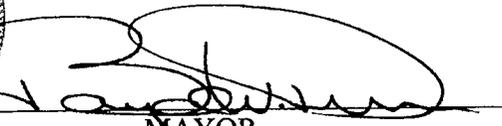
SECTION III. The Planning & Development Department of the City of Chandler is hereby directed to enter such changes and amendments as may be necessary upon the Zoning Map of said Zoning Code in compliance with this ordinance.

INTRODUCED AND TENTATIVELY PASSED by the City Council this 23rd day of March 2006

ATTEST:


CITY CLERK




MAYOR

PASSED AND ADOPTED by the City Council on the 10th day of April 2006.

ATTEST:

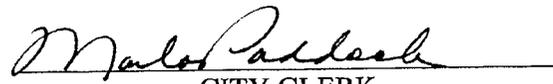

CITY CLERK



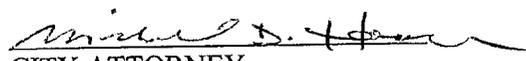

MAYOR

CERTIFICATION

I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 3780 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the 10th day of April 2006, and that a quorum was present thereat.


CITY CLERK

APPROVED AS TO FORM:


CITY ATTORNEY



846 North Barkley
Mesa - Arizona - 85203
Phone 480-629-8603
Fax 480-615-1352
www.civil-group.com

COMMENCING AT THE NORTHEAST CORNER OF SECTION 14, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA

THENCE SOUTH 00 DEGREES 24 MINUTES 41 SECONDS EAST A DISTANCE OF 1321.19 FEET ALONG THE EAST LINE OF SAID SECTION 14

THENCE SOUTH 89 DEGREES 35 MINUTES 19 SECONDS EAST A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING

THENCE SOUTH 88 DEGREES 58 MINUTES 44 SECONDS WEST A DISTANCE OF 632.54 FEET

THENCE SOUTH 00 DEGREES 22 MINUTES 50 SECONDS EAST A DISTANCE OF 330.60 FEET

THENCE SOUTH 88 DEGREES 56 MINUTES 57 SECONDS WEST A DISTANCE OF 658.56 FEET

THENCE NORTH 00 DEGREES 22 MINUTES 50 SECONDS WEST A DISTANCE OF 992.02 FEET

THENCE NORTH 88 DEGREES 59 MINUTES 24 SECONDS EAST A DISTANCE OF 610.00 FEET

THENCE SOUTH 00 DEGREES 24 MINUTES 16 SECONDS EAST A DISTANCE OF 628.15 FEET

THENCE NORTH 88 DEGREES 58 MINUTES 44 SECONDS EAST A DISTANCE OF 680.86 FEET

THENCE S 00 DEGREES 24 MINUTES 41 SECONDS EAST A DISTANCE OF 33 FEET TO THE POINT OF BEGINNING

CONTAINING 643,581 SQ FT / 14.77 ACRES MORE OR LESS



ORDINANCE NO. 4647

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM PAD (SINGLE-FAMILY RESIDENTIAL) TO AMENDED PAD (SINGLE-FAMILY RESIDENTIAL) IN CASE (DVR15-0016 MADERAS) 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 PAD (Single-Family Residential) to Amended PAD (Single-Family Residential), subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "MADERAS", kept on file in the City of Chandler Planning Division, in File No. DVR15-0016, except as modified by condition herein.
2. Compliance with original conditions adopted by the City Council as Ordinance No. 3780 (DVR05-0050 Maderas), except as modified by condition herein.
3. Condition No. 2 of Ordinance No. 3780 shall be deleted.

4. Condition No. 10 of Ordinance No. 3780 shall be deleted.
5. Condition No. 11 of Ordinance No. 3780 shall be deleted.
6. Condition No. 12 of Ordinance No. 3780 shall be deleted.
7. Condition No. 13 of Ordinance No. 3780 shall be deleted.
8. Condition No. 23 of Ordinance No. 3780 shall be deleted.
9. Condition No. 25 of Ordinance No. 3780 shall be deleted.

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

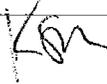
CERTIFICATION

I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 4647 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



PUBLISHED:

LEGAL DESCRIPTION

Attachment 'A'
Ord. # 4647

Parcel No. 1

Lots 1 through 22 inclusive and Tracts A through D inclusive of Maderas, according to the Plat of Record in the Office of the County Recorder of Maricopa County, Arizona, recorded as Book 922 of Maps, Page 5.

Parcel No. 2

An Easement interest in Tract E of Maderas, according to the Plat of Record in the Office of the County Recorder of Maricopa County, Arizona, recorded as Book 922 of Maps, Page 5.