

#10
NOV 16 2015

ORDINANCE NO. 4669

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM PLANNED AREA DEVELOPMENT (PAD) FOR COMMERCIAL TO PAD FOR AN ASSISTED LIVING FACILITY IN CASE (DVR15-0018 SPECTRUM ASSISTED LIVING COMMUNITY) 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 EXHIBIT 'A'

Said parcel is hereby rezoned from PAD to PAD, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "SPECTRUM SENIOR LIVING AT OCOTILLO", kept on file in the City of Chandler Planning Services Division, in File No. DVR15-0018, 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. 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.
4. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
5. 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.
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. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.

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. 4669 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:

EXHIBIT 'A'
LEGAL DESCRIPTION

LOTS 1, 2, 3, 4, TRACT A & TRACT B OF "BIAGIO" ACCORDING TO BOOK 696 OF MAPS, PAGE 28, RECORDS OF MARICOPA COUNTY, ARIZONA;

TOGETHER WITH,

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 1 SOUTH, RANGE 4 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 26, FROM WHICH THE WEST QUARTER CORNER OF SAID SECTION 26 BEARS N01°27'32"E, A DISTANCE OF 2645.84 FEET;
THENCE N01°27'32"E, ALONG THE WEST LINE OF SAID SECTION 26, A DISTANCE OF 589.56;
THENCE DEPARTING FROM SAID WEST LINE, S88°32'28"E, A DISTANCE OF 65.00 FEET TO A POINT ON THE EAST RIGHT-OF-WAY OF RURAL ROAD, SAID POINT ALSO BEING THE NORTHWEST CORNER OF THE AFOREMENTIONED TRACT B;
THENCE S01°27'32"W, A DISTANCE OF 23.94 FEET;
THENCE S88°32'28"E, A DISTANCE OF 6.00 FEET;
THENCE S01°27'32"W, A DISTANCE OF 163.97;
THENCE S88°32'28"E, A DISTANCE OF 4.00 FEET;
THENCE S01°27'32"W, A DISTANCE OF 305.00 FEET;
THENCE S44°09'59"E, A DISTANCE OF 27.97 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY OF CHANDLER BOULEVARD;
THENCE S89°47'31"E, A DISTANCE OF 304.99 FEET;
THENCE S00°12'18"W, A DISTANCE OF 4.00 FEET;
THENCE S89°47'31"E, A DISTANCE OF 266.98 FEET;
THENCE DEPARTING FROM SAID NORTH RIGHT-OF-WAY, S00°12'29"W, A DISTANCE OF 71.00 FEET TO A POINT ON THE SOUTH LINE OF SAID SOUTHWEST QUARTER OF SECTION 26;
THENCE N89°47'31"W, ALONG SAID SOUTH LINE, A DISTANCE OF 668.62 FEET TO THE POINT OF BEGINNING.

CONTAINING 363,459 SQ. FT. OR 8.344 ACRES, +/-

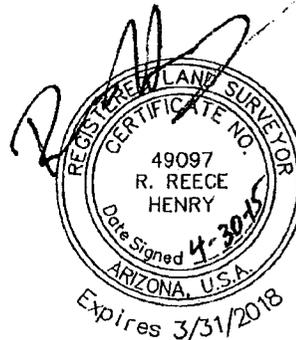


EXHIBIT 'A'
LEGAL DESCRIPTION

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 1 SOUTH, RANGE 4 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 26, FROM WHICH THE WEST QUARTER CORNER OF SAID SECTION 26 BEARS N01°27'32"E, A DISTANCE OF 2645.84 FEET;
THENCE N01°27'32"E, ALONG THE WEST LINE OF SAID SECTION 26, A DISTANCE OF 589.56;
THENCE DEPARTING FROM SAID WEST LINE, S88°32'28"E, A DISTANCE OF 65.00 FEET TO A POINT ON THE EAST RIGHT-OF-WAY OF RURAL ROAD, SAID POINT ALSO BEING THE NORTHWEST CORNER OF THE AFOREMENTIONED TRACT B;
THENCE S01°27'32"W, A DISTANCE OF 23.94 FEET;
THENCE S88°32'28"E, A DISTANCE OF 6.00 FEET;
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THENCE S89°47'31"E, A DISTANCE OF 266.98 FEET;
THENCE DEPARTING FROM SAID NORTH RIGHT-OF-WAY, S00°12'29"W, A DISTANCE OF 71.00 FEET TO A POINT ON THE SOUTH LINE OF SAID SOUTHWEST QUARTER OF SECTION 26;
THENCE N89°47'31"W, ALONG SAID SOUTH LINE, A DISTANCE OF 668.62 FEET TO THE POINT OF BEGINNING.

CONTAINING 86,853 SQ. FT. OR 1.994 ACRES, +/-



EXHIBIT 'A'
LEGAL DESCRIPTION

LOTS 1, 2, 3, 4, TRACT A & TRACT B OF "BIAGIO" ACCORDING TO BOOK 696 OF MAPS,
PAGE 28, RECORDS OF MARICOPA COUNTY, ARIZONA.

CONTAINING 276,606 SQ. FT. OR 6.35 ACRES, +/-

