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NOV 16 2015

ORDINANCE NO. 4657

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) TO PLANNED AREA DEVELOPMENT (PAD) FOR MEDICAL AND GENERAL OFFICE (DVR15-0014 ARIZONA EYE CENTER) 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 Planned Area Development (PAD) to PAD for medical and general office subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "Arizona Eye Center" and kept on file in the City of Chandler Planning Division, in File No. DVR15-0014, 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.

5. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.

6. 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 Transportation & 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 APPROVED by the City Council this _____ day of _____, 2015.

ATTEST:

_____ _____

CITY CLERK MAYOR

PASSED AND ADOPTED by the City Council this _____ day of _____, 2015.

ATTEST:

_____ _____

CITY CLERK MAYOR

CERTIFICATION

I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 4657 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

PARCEL NO. 1:

THAT PART OF THE SOUTHWEST QUARTER OF THE SECTION 20, TOWNSHIP 1 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING THE SOUTHEAST CORNER OF THE SAID SOUTHWEST QUARTER OF SECTION 20; MEASURE THENCE NORTH 00 DEGREES 34 MINUTES 39 SECONDS WEST ALONG THE EAST LINE OF THE SAID SOUTWEST QUARTER OF SECTION 20, A DISTANCE OF 65.00 FEET; THENCE SOUTH 89 DEGREES 18 MINUTES 53 SECONDS WEST PARALLEL TO AND 65.00 FEET NORTHERLY FROM THE SOUTH LINE OF THE SAID SOUTHWEST QUARTER OF SECTION 20, A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 89 DEGREES 18 MINUTES 53 SECONDS WEST 183.00 FEET; THENCE NORTH 00 DEGREES 34 MINUTES 39 SECONDS WEST 238.03 FEET; THENCE NORTH 89 DEGREES 18 MINUTES 53 SECONDS EAST 183.00 FEET TO A POINT 40.00 FEET WESTERLY FROM THE EAST LINE OF THE SAID SOUTHWEST QUARTER OF SECTION 20; THENCE SOUTH 00 DEGREES 34 MINUTES 39 SECONDS EAST PARALLEL TO THE SAID EAST LINE, A DISTANCE OF 238.03 FEET TO THE POINT OF BEGINNING.

EXCEPT ALL OIL, MINERAL AND GAS RIGHTS AS RESERVED IN DOCKET 896, PAGE 55.

PARCEL NO. 2:

THAT PART OF THE SOUTHWEST QUARTER OF THE SECTION 20, TOWNSHIP 1 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING THE SOUTHEAST CORNER OF THE SAID SOUTHWEST QUARTER OF SECTION 20; MEASURE THENCE NORTH 00 DEGREES 34 MINUTES 39 SECONDS WEST ALONG THE EAST LINE OF THE SAID SOUTHWEST QUARETER OF SECTION 20, A DISTANCE OF 65.00 FEET; THENCE SOUTH 89 DEGREES 18 MINUTES 53 SECONDS WEST PARALLEL TO THE SOUTH LINE OF THE SAID SOUTWEST QUARTER OF SECTION 20, A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00 DEGREES 34 MINUTES 39 SECONDS WEST PARALLEL TO THE SAID EAST LINE A DISCTANCE OF 238.03 FEET. THENCE NORTH 89 DEGREES 18 MINUTES 53 SECONDS EAST PARALLEL TO THE SAID SOUTH LINE A DISTANCE OF 7.00 FEET; THENCE SOUTH 00 DEGREES 34 MINUTES 39 SECONDS EAST PARALLEL TO AND 33.00 FEET WESTERLY FROM THE SAID EAST LINE A DISTANCE OF 231.03 FEET; THENCE SOUTH 44 DEGREES 22 MINUTES 07 SECONDS WEST 9.91 FEET TO THE POINT OF BEGINNING.

EXCEPT ALL OIL, MINERAL AND GAS RIGHTS AS RESERVED IN DOCKET 896, PAGE 55.