#36

JAN 28 2016

Chandler

All-America City

2010

Chandler • Arizona

Where Values Make The Difference

MEMORANDUM **Planning Division – CC Memo No. 16-007**

DATE: JANUARY 28, 2016

TO: MAYOR AND COUNCIL

THRU: MARSHA REED, ACTING CITY MANAGER MR
JEFF KURTZ, PLANNING ADMINISTRATOR
KEVIN MAYO, PLANNING MANAGER KM

FROM: ERIK SWANSON, SENIOR CITY PLANNER ES

SUBJECT: FPT15-0010 NORIA AT CHANDLER AIRPARK

Request: Final Plat (FPT) approval

Location: Southeast corner of McQueen and Germann roads

Applicant: David Soltysik; Terrascape Consulting

BACKGROUND

This Final Plat is for a multi-family residential and commercial mixed-use development located at the southeast corner of McQueen and Germann roads that was approved by Council in late 2013. The plat creates the lots and tracts, establishes the necessary easements, and dedicates the required rights-of-way.

RECOMMENDED ACTION

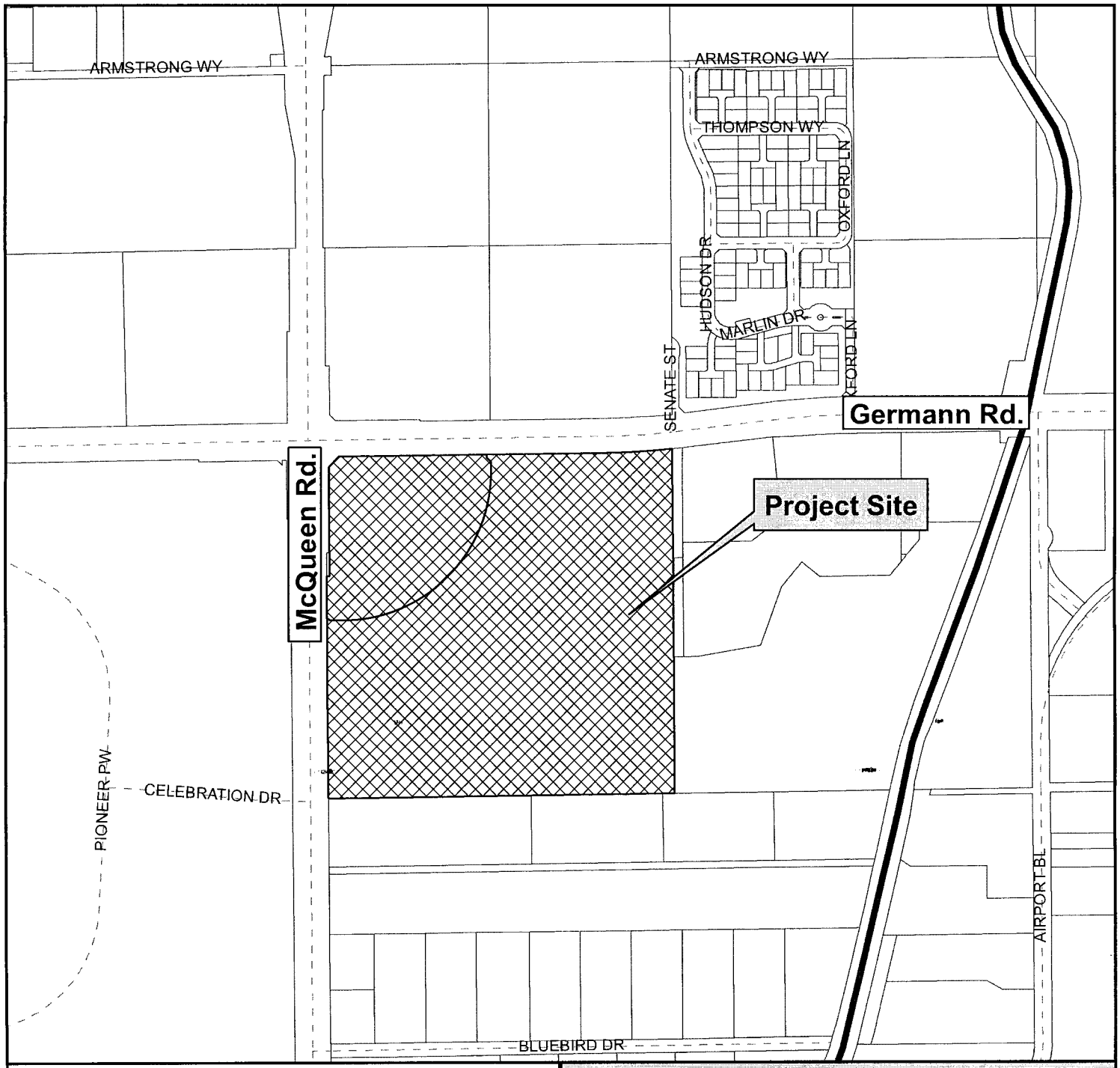
Planning Staff recommends City Council approve the Final Plat.

PROPOSED MOTION

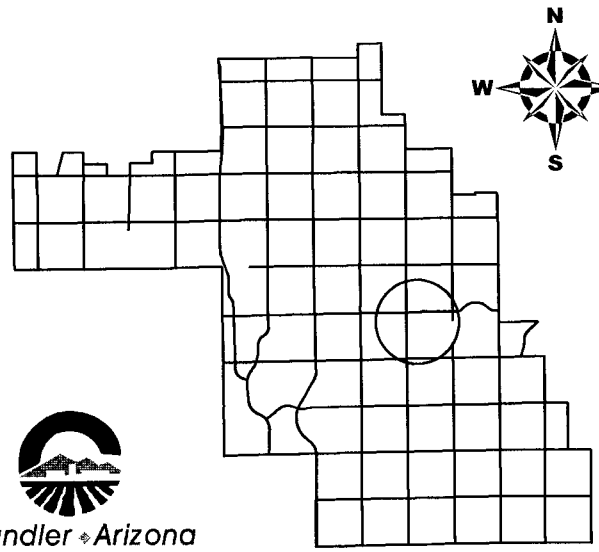
Move City Council approve Final Plat FPT15-0010 NORIA AT CHANDLER AIRPARK, per Planning Staff recommendation.

Attachments

1. Vicinity Maps
2. Final Plat



Vicinity Map



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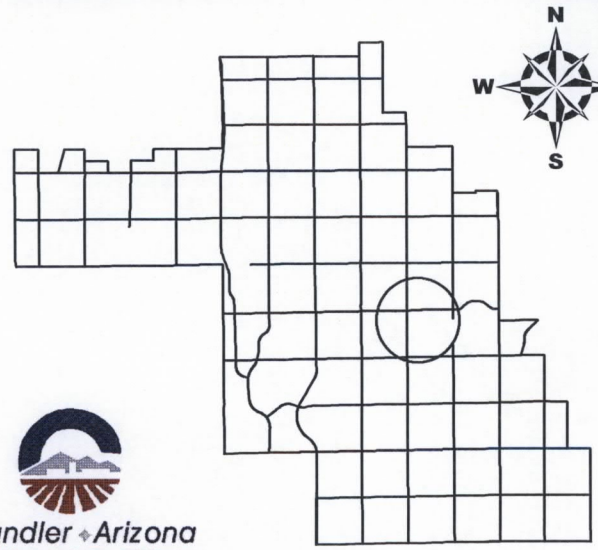
Noria at Chandler Airpark

CITY OF CHANDLER 1/11/2016

Vicinity Map



Noria at Chandler Airpark

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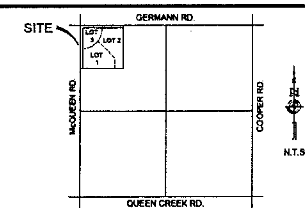
Where Values Make The Difference

CITY OF CHANDLER 1/11/2016

FINAL PLAT
FOR
NORIA

A PORTION OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 2 SOUTH, RANGE 5 EAST, GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA



VICINITY/ KEY MAP

DEDICATION

STATE OF ARIZONA } SS
COUNTY OF MARICOPA

KNOW ALL MEN BY THESE PRESENTS: NORIA COMMERCIAL, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, AS OWNER OF LOT 3, AND NORIA INVESTMENTS, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, AS OWNER OF LOTS 1 AND 2, HAS SUBDIVIDED UNDER THE NAME "NORIA" LOCATED IN A PORTION OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 2 SOUTH, RANGE 5 EAST, GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA AS SHOWN AND PLATTED HEREON AND HEREBY PUBLISHES THIS PLAT AS AND FOR THE PLAT OF "NORIA", AND HEREBY DECLARES THAT SAID PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF THE LOTS, STREETS AND EASEMENTS CONSTITUTING SAME, AND THAT EACH LOT, AND STREET SHALL BE KNOWN BY THE NUMBER, LETTER, OR NAME GIVEN EACH RESPECTIVELY ON SAID PLAT. NORIA COMMERCIAL, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, AS OWNER OF LOT 3, AND NORIA INVESTMENTS, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, AS OWNER OF LOTS 1 AND 2, HEREBY DEDICATES TO THE PUBLIC, FOR USE AS SUCH, THE STREETS, RIGHTS-OF-WAY, AND EASEMENTS AS SHOWN ON SAID PLAT AND INCLUDED IN THE ABOVE DESCRIBED PREMISES. THE MAINTENANCE OF LANDSCAPING WITHIN THE PUBLIC RIGHT-OF-WAY TO BACK OF CURB SHALL BE THE RESPONSIBILITY OF THE ABUTTING PROPERTY OWNERS.

THIS PLAT HEREBY DEDICATES EMERGENCY VEHICULAR ACCESS EASEMENT OVER LOTS 1 & 2 TO THE CITY OF CHANDLER.

EASEMENTS AND RIGHTS-OF-WAY ARE DEDICATED AS SHOWN ON THIS PLAT.

NORIA COMMERCIAL, LLC, AN ARIZONA LIMITED LIABILITY COMPANY AS OWNER OF LOT 3, AND NORIA INVESTMENTS, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, AS OWNER OF LOTS 1 AND 2, DO HERBY GRANT AND CONVEY TO THE CITY OF CHANDLER, AN ARIZONA MUNICIPAL CORPORATION, AN EASEMENT FOR AVIGATION PURPOSES OVER AND ACROSS ALL LOTS, TRACTS, AND PARCELS OF SAID SUBDIVISION IN CONNECTION WITH FLIGHTS FROM THREE HUNDRED AND FIFTY (350) FEET ABOVE THE SURFACE TO AN INFINITE HEIGHT ABOVE THE SAME, WHICH EASEMENT SHALL INCLUDE BUT NOT LIMITED TO , THE RIGHT OF FLIGHT OF AIRCRAFT OVER THE LAND TOGETHER WITH ITS ATTENDANT NOISE, VIBRATIONS, FUMES, DUST, FUEL AND LUBRICANT PARTICLES, AND ALL OTHER EFFECTS THAT MAY BE CAUSED BY THE OPERATION OF AIRCRAFT LANDING AT OR TAKING OFF FROM, OR OPERATING AT OR ON CHANDLER MUNICIPAL AIRPORT; AND THE OWNERS NORIA COMMERCIAL, LLC, AN ARIZONA LIMITED LIABILITY COMPANY AND NORIA INVESTMENTS, LLC AN ARIZONA LIMITED LIABILITY COMPANY DOES FURTHER RELEASE AND DISCHARGE THE CITY, FOR THE USE AND BENEFIT OF THE PUBLIC AND AGENCIES OF THE CITY, AND FROM ALL LIABILITY AND ALL CLAIMS FOR DAMAGES OF ANY KIND TO PERSONS PROPERTY THAT MAY ARISE AT ANY TIME IN THE FUTURE OVER OR IN CONNECTION WITH THE OWNER'S NORIA COMMERCIAL, LLC AN ARIZONA LIMITED LIABILITY COMPANY AND NORIA INVESTMENTS, LLC AN ARIZONA LIMITED LIABILITY COMPANY, PROPERTY ABOVE THREE HUNDRED AND FIFTY (350) FEET, TO AN INFINITE HEIGHT ABOVE THE SAME, WHETHER SUCH DAMAGES SHALL ORIGINATE FROM NOISE, VIBRATION, CAUSED BY THE OPERATIONS OF AIRCRAFT LANDING AT, OR TAKING OFF FROM, OR OPERATING AT OR CHANDLER MUNICIPAL AIRPORT.

THE GRANTING OF THIS AVIGATION EASEMENT AND RELEASE DOES NOT RELIEVE THE OWNERS AND OPERATORS OF AIRCRAFT FROM LIABILITY FOR DAMAGES OR INJURY TO PERSONS OR PROPERTY CAUSED BY NEGLIGENT OR UNLAWFUL AIRCRAFT OPERATION OR BY FALLING AIRCRAFT OR FALLING PHYSICAL OBJECTS FROM AIRCRAFT, EXCEPT AS STATED HEREIN WITH RESPECT TO NOISE, VIBRATION, FUMES, DUST, FUEL AND LUBRICANT PARTICLES GENERATED BY LAWFUL, NORMAL AIRCRAFT OPERATIONS OCCURRING THREE HUNDRED AND FIFTY (350) FEET OR MORE ABOVE THE SURFACE

THIS AVIGATION EASEMENT AND RELEASE SHALL BE BINDING UPON SAID OWNERS AND THEIR HEIRS, ASSIGNS AND SUCCESSORS IN INTEREST TO ALL LOTS, TRACTS, AND PARCELS IN THE SAID SUBDIVISION AND THE STATEMENT OF OF RELEASE SHALL BE A COVENANT RUNNING WITH THE LAW.

IN WITNESS WHEREOF, NORIA COMMERCIAL LLC, AN ARIZONA LIMITED LIABILITY COMPANY, AS OWNER OF LOT 3, HAS HEREBY CAUSED ITS NAME TO BE SIGNED AND THE SAME TO BE ATTESTED BY THE SIGNATURE OF ______________, ITS ______________, IS THEREUNTO DULY AUTHORIZED THIS ___ DAY OF ______________, 2015.

______________________________ DATE

ACKNOWLEDGMENT

STATE OF ______________ } SS
COUNTY OF ______________

ON THIS ___ DAY OF ______________, 2015, BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED ______________ WHO ACKNOWLEDGED SELF TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE INSTRUMENT WITHIN, AND WHO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL.

____
NOTARY PUBLIC DATE

MY COMMISSION EXPIRES:

____
DATE

IN WITNESS WHEREOF, NORIA INVESTMENTS LLC, AN ARIZONA LIMITED LIABILITY COMPANY AS OWNER OF LOTS 1 AND 2, HAS HEREBY CAUSED ITS NAME TO BE SIGNED AND THE SAME TO BE ATTESTED BY THE SIGNATURE OF ______________ ITS ______________, IS THEREUNTO DULY AUTHORIZED THIS ___ DAY OF ______________, 2015.

______________________________ DATE

ACKNOWLEDGMENT

STATE OF ______________ } SS
COUNTY OF ______________

ON THIS ___ DAY OF ______________, 2015, BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED ______________ WHO ACKNOWLEDGED SELF TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE INSTRUMENT WITHIN, AND WHO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL.

____
NOTARY PUBLIC DATE

MY COMMISSION EXPIRES:

____
DATE

OWNER LOT 3

NORIA COMMERCIAL, LLC
9532 E. RIGGS RD.
SUN LAKES, AZ 85248
PHONE # (800) 732-9949
ATTN: Steve Soriano

OWNER LOT 1 AND 2

NORIA INVESTMENTS, LLC
9532 E. RIGGS RD.
SUN LAKES, AZ 85248
PHONE # (800) 732-9949
ATTN: Steve Soriano

AVIGATION NOTE

THIS PROPERTY IS WITHIN THE CHANDLER MUNICIPAL AIRPORT POTENTIAL AIRPORT INFLUENCE AREA AND IS SUBJECT TO AIRCRAFT NOISE AND OVERFLIGHT ACTIVITY, AND IS ENCUMBERED BY AN AVIGATION EASEMENT GRANTED TO THE CITY OF CHANDLER.

BASIS OF BEARING

NORTH 89°12'51" EAST - BEING THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 2 SOUTH, RANGE 5 EAST, GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, AS SHOWN ON PLSS SUBDIVISION RECORD OF SURVEY RECORDED IN BOOK 589, PAGE 48, MARICOPA COUNTY RECORDS.

REFERENCE DOCUMENTS

(R) DEED OF RECORD
(R1) RECORD OF SURVEY, BOOK 1151 OF MAPS, PAGE 45, MARICOPA COUNTY RECORDS.
ALTA SURVEY, BOOK 1042, PAGE 37, MARICOPA COUNTY RECORDS.
ALTA SURVEY, BOOK 1042, PAGE 38, MARICOPA COUNTY RECORDS.
RECORD OF SURVEY, BOOK 1024, PAGE 13, MARICOPA COUNTY RECORDS.
ALTA SURVEY, BOOK 888, PAGE 16, MARICOPA COUNTY RECORDS.
ALTA SURVEY, BOOK 812, PAGE 22, MARICOPA COUNTY RECORDS.
PLSS SUBDIVISION RECORD OF SURVEY, BOOK 589, PAGE 48, MARICOPA COUNTY RECORDS.
UNRECORDED ALTA SURVEY PERFORMED BY STANTECH CONSULTING INC. OF PARCEL 1, PERFORMED IN AUGUST 1996.
UNRECORDED ALTA SURVEY PERFORMED BY WECHERLY & ASSOCIATES OF PARCEL 2, PERFORMED IN NOVEMBER 1996.
RESULTS OF SURVEY MAP, BOOK 376, PAGE 49, MARICOPA COUNTY RECORDS.

AREA SUMMERIES

LOT 1	[illegible] S.F.	[illegible] ACRES
LOT 2	[illegible] S.F.	13.49 ACRES
LOT 3	276,1[illegible] S.F.	6.3[illegible] ACRES
R/W	21[illegible] S.F.	5.0[illegible] ACRES
GROSS	1,749,[illegible] S.F.	40.16 ACRES

LEGEND

- FOUND SECTIONAL MONUMENT
- FOUND 1/2" REBAR WITH CAP # 46943 UNLESS OTHERWISE NOTED
- NOTHING FOUND / NOTHING SET
- SET 1/2" REBAR WITH CAP RAGSDALE 46943 TO BE SET AT THE COMPLETION OF MASS GRADING
- M.C.R. MARICOPA COUNTY RECORDS
- (M) MEASURED DATA
- (R) RECORD DATA
- (C) CALCULATED DATA
- R/W RIGHT OF WAY
- P.U.E. PUBLIC UTILITY EASEMENT
- EASEMENT LINE
- PROPERTY LINE
- SECTION LINE
- CENTER LINE

NOTES

1. THIS SUBDIVISION SHALL COMPLY WITH THE RESIDENTIAL DEVELOPMENT STANDARDS DATED MAY 23, 2002.
2. CONSTRUCTION WITHIN UTILITY EASEMENTS SHALL BE LIMITED TO UTILITIES, FENCES AND DRIVEWAYS.
3. NO STRUCTURES OR VEGETATION OF ANY KIND THAT WOULD IMPEDE THE FLOW OF WATER THROUGH THE EASEMENTS MAY BE CONSTRUCTED, PLANTED OR ALLOWED TO GROW WITHIN DRAINAGE EASEMENTS.
4. IN EASEMENTS FOR THE EXCLUSIVE USE OF WATER, SANITARY SEWER, RECLAIMED WATER OR ANY COMBINATION THEREOF, ONLY GROUND COVER AND BUSHED ARE ALLOWED TO BE PLANTED WITHIN THE EASEMENT AREA. NO TREES ARE ALLOWED.
5. ALL UTILITIES AND ELECTRIC LINES ARE TO BE INSTALLED UNDERGROUND.
6. VISIBILITY EASEMENT RESTRICTIONS: ANY OBJECT, WALL, STRUCTURE, MOUND OR LANDSCAPING (MATURE) OVER 24" IN HEIGHT IS NOT ALLOWED WITHIN THE VISIBILITY EASEMENT EXCEPT TREES TRIMMED TO NOT LESS THAN 6' ABOVE THE GROUND. TREES SHALL BE SPACED NOT LESS THAN 8' APART.
7. PROPERTY CORNERS SHALL BE SET WITH 1/2" REBAR & CAP BEARING THE REGISTRATION NUMBER OF THE SURVEYOR RESPONSIBLE FOR THERE PLACEMENT UNLESS OTHERWISE NOTED HEREON. PROPERTY CORNERS WILL BE PLACED AT COMPLETION OF MASS GRADING.
8. ALL TITLE INFORMATION AND THE DESCRIPTION SHOWN IS BASED ON A CONDITION OF TITLE REPORT ISSUED BY MAGNUS TITLE AGENCY, ORDER NO. 02-04035295-711-VE1, DATED FEBRUARY 19, 2013.
9. THESE PRIVATE STREETS WILL REMAIN PRIVATE AND NEVER CONVERT TO PUBLIC OWNERSHIP.
10. THE PERSON(S) HOLDING TITLE TO THE COMMON AREA TRACTS ("TITLEHOLDER(S)") SHALL BE RESPONSIBLE FOR IRRIGATION OF THE COMMON AREA TRACTS. THE SOURCE OF IRRIGATION WATER FOR THE COMMON AREA TRACTS SHALL BE RECLAIMED WATER ("EFFLUENT"), BUT IF RECLAIMED WATER IS UNAVAILABLE AT THE TIME CONSTRUCTION IN THE SUBDIVISION BEGINS, THE TITLEHOLDER(S) SHALL CAUSE THE COMMON AREA TRACTS TO BE IRRIGATED AND SUPPLIED WITH WATER, OTHER THAN SURFACE WATER FROM ANY IRRIGATION DISTRICT, THROUGH SOURCES CONSISTENT WITH THE ARIZONA LAW AND THE RULES AND REGULATIONS OF THE ARIZONA DEPARTMENT OF WATER RESOURCES. ONCE EFFLUENT OF THE QUANTITY AND QUALITY NEEDED TO SUPPORT SUCH COMMON AREA TRACTS IS AVAILABLE, THEN THE TITLEHOLDER(S) SHALL CAUSE EFFLUENT TO BE USED TO IRRIGATE THE COMMON AREA TRACTS. AT SUCH TIME AS TITLE TO THE COMMON AREA TRACTS IS SOLD OR OTHERWISE TRANSFERRED, IN WHOLE OR IN PART, WHETHER TO THE SUBDIVISION HOMEOWNERS ASSOCIATION OR TO SOME THIRD PARTY, THE TITLEHOLDER(S) SHALL ALSO SELL OR TRANSFER, AT THE OPTION OF THE PARTY ACQUIRING TITLE THERETO, ANY WATER RIGHTS OR PERMITS HELD BY OR IN THE NAME OF THE TITLEHOLDER(S) BENEFITING OR OTHERWISE APPLICABLE TO THE COMMON AREA TRACTS.

APPROVALS

THIS IS TO CERTIFY THAT IN MY OPINION ALL LOTS, PARCELS AND TRACTS SHOWN ON THIS PLAT CONFORM TO GOOD LAND PLANNING POLICIES AND ARE SUITABLE FOR THE PURPOSE FOR WHICH THEY ARE PLATTED.

____
TRANSPORTATION & DEVELOPMENT DIRECTOR DATE

THIS IS TO CERTIFY THAT ALL ENGINEERING CONDITIONS AND REQUIREMENTS OF THE CITY CODE HAVE BEEN COMPLIED WITH AND THAT THIS SUBDIVISION IS LOCATED WITHIN AN AREA DESIGNATED AS HAVING AN ASSURED WATER SUPPLY PURSUANT TO SECTION 45-576, ARIZONA REVISED STATUTES.

____
CITY ENGINEER DATE

BY ACCEPTANCE OF THIS PLAT THE CITY OF CHANDLER AGREES TO THE VACATION OR ABANDONMENT OF THE EASEMENTS DESCRIBED OR SHOWN HEREON AS BEING VACATED OR ABANDONED
APPROVED BY THE COUNCIL OF THE CITY OF CHANDLER, ARIZONA THIS ___ DAY OF ______________, 2015.

BY: ______________________________
MAYOR DATE

ATTEST: ______________________________
CITY CLERK DATE

SURVEYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT THIS PLAT IS CORRECT AND ACCURATE AND MONUMENTS DESCRIBED HEREIN HAVE EITHER BEEN SET OR LOCATED AS DESCRIBED TO THE BEST OF MY KNOWLEDGE AND BELIEF.

MITCHELL H RAGSDALE RPLS #46943 12/10/15
1102 E MISSOURI AVE. DATE
PHOENIX, AZ 85014

46943
MITCHELL H. RAGSDALE
Expires 12/31/2017

C.O.C. LOG NO FPT 15-0010

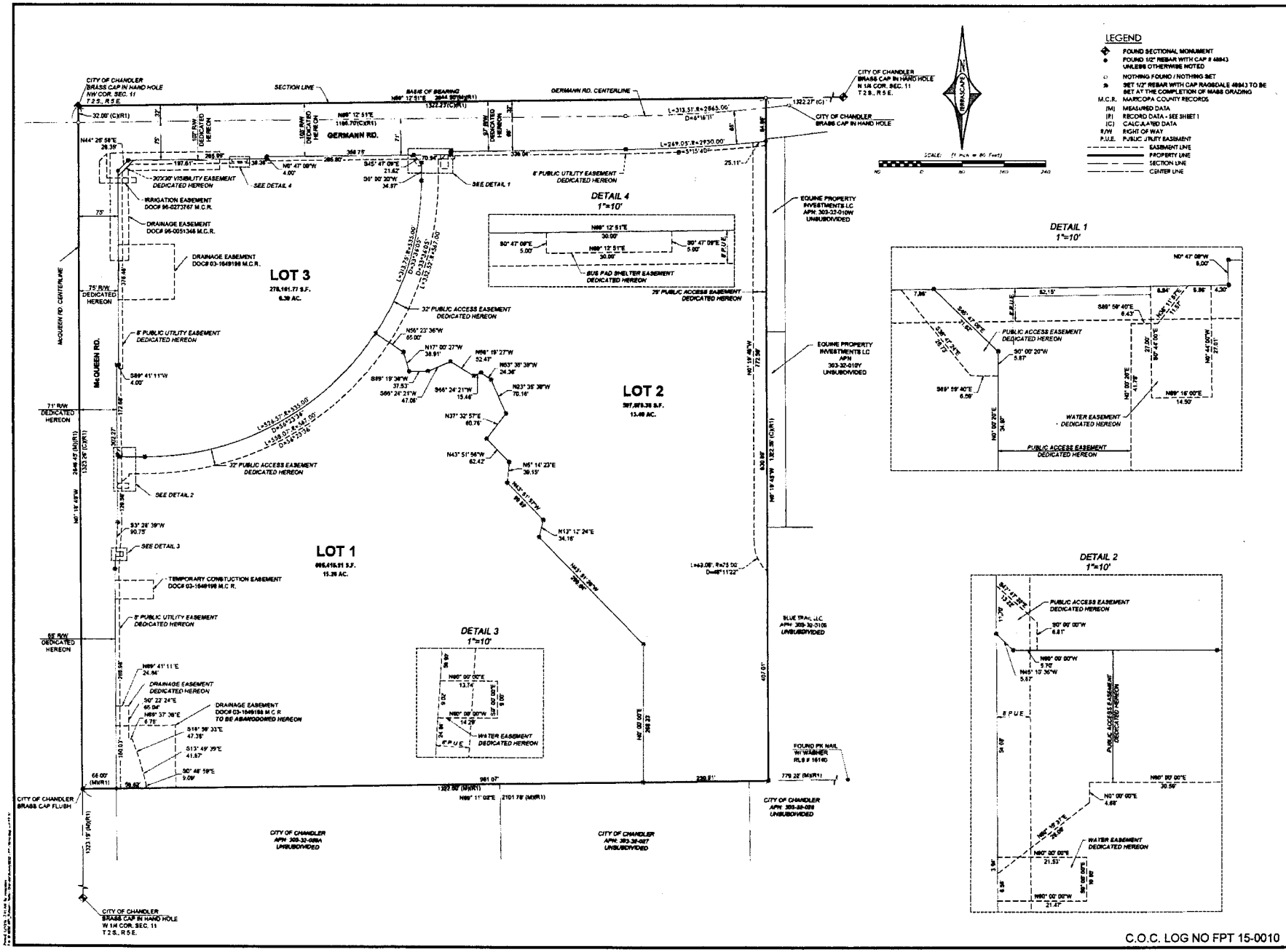
Terrascape consulting
• civil engineering
• surveying
• urban planning

FINAL PLAT

NORIA

ARIZONA811

DATE:	12/10/15
CHECKED BY:	JCG
DRAWN BY:	MHR
TITLE:	FINAL PLAT NORIA
SHEET No.	1 of 2
PROJECT No.	0252



Terrascape • civil engineering • surveying • urban planning • consulting

FINAL PLAT

NORIA

Expires 12/31/2017

DATE: 12 / 10 / 15

CHECKED BY: JCG

DRAWN BY: MHR

TITLE: FINAL PLAT NORIA

SHEET No. 2 of 2

PROJECT No. 6282