

#3  
OCT 10 2016

**ORDINANCE NO. 4709**

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 COMMERCIAL USES INCLUDING A FUEL STATION FOR 24- HOUR USES, 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 Agricultural (AG-1) to Planned Area Development (PAD) for commercial uses including a fuel station for 24-hour uses, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "QUIKTRIP" and kept on file in the City of Chandler Planning Division, in File No.DVR16-0010, 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.

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

2. 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.
3. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual #4).
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. 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.
6. 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.

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 \_\_\_\_\_, 2016.

ATTEST:

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona this \_\_\_\_ day  
of \_\_\_\_\_, 2016.

ATTEST:

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

**CERTIFICATION**

I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 4709 was duly passed and  
adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the  
\_\_\_\_ day of \_\_\_\_\_, 2016, and that a quorum was present thereat.

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY *GAB*

PUBLISHED:

Legal Description  
Consolidated Boundary  
*EXHIBIT 'A'*

A portion of land situated in the Southwest Quarter of Section 7, Township 2 South, Range 6 East of the Gila and Salt River Base and Meridian, Pinal County, Arizona, being more particularly described as follows:

Commencing at a Found Brass Cap in Handhole at the Southwest Corner of said Section 7, from which a Found Brass Cap at the West Quarter Corner of said Section 7 bears North 00 degrees 28 minutes 57 seconds West, a distance of 2639.53 feet;

Thence North 00 degrees 28 minutes 57 seconds West, along the West line of the Southwest Quarter of said Section 7, a distance of 619.01 feet;

Thence North 89 degrees 05 minutes 35 seconds East, parallel with and 618.99 feet North of the South line of the Southwest Quarter of said Section 7, a distance of 33.00 feet, to the **POINT OF BEGINNING**.

Thence North 00 degrees 28 minutes 57 seconds West, parallel with and 33.00 feet East of the West line of the Southwest Quarter of said Section 7, a distance of 38.51 feet;

Thence North 89 degrees 05 minutes 35 seconds East, parallel with and 657.50 feet North of the South line of the Southwest Quarter of said Section 7, a distance of 395.01 feet;

Thence South 00 degrees 28 minutes 57 seconds East, parallel with and 428.00 feet East of the West line of the Southwest Quarter of said Section 7, a distance of 592.52 feet, to a point on the Northerly Right-of-Way line of Queen Creek Road;

Thence along said Northerly Right-of-Way line, the following three courses:

South 89 degrees 05 minutes 35 seconds West, parallel with and 65.00 feet North of the South line of the Southwest Quarter of said Section 7, a distance of 28.00 feet;

Thence North 00 degrees 54 minutes 25 seconds West, a distance of 10.00 feet;

Thence South 89 degrees 05 minutes 35 seconds West, parallel with and 75.00 feet North of the South line of the Southwest Quarter of said Section 7, a distance of 304.93 feet;

Any modification to or omission from this description completely  
absolves the surveyor from any liability for this description.

Thence North 45 degrees 41 minutes 42 seconds West, a distance of 28.19 feet, to a point on the Easterly Right-of-Way line of Gilbert Road;

Thence along said Easterly Right-of-Way line the following seven courses:

North 00 degrees 28 minutes 57 seconds West, parallel with and 75.00 feet East of the West line of the Southwest Quarter of said Section 7, a distance of 132.38 feet;

Thence North 89 degrees 31 minutes 01 seconds East, a distance of 5.00 feet;

Thence North 00 degrees 28 minutes 57 seconds West, parallel with and 80.00 feet East of the West line of the Southwest Quarter of said Section 7, a distance of 30.00 feet;

Thence South 89 degrees 31 minutes 01 seconds West, a distance of 5.00 feet;

Thence North 00 degrees 28 minutes 57 seconds West, parallel with and 75.00 feet East of the West line of the Southwest Quarter of said Section 7, a distance of 17.06 feet;

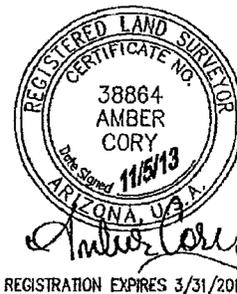
Thence South 89 degrees 31 minutes 01 seconds West, a distance of 10.00 feet;

Thence North 00 degrees 28 minutes 57 seconds West, parallel with and 65.00 feet East of the West line of the Southwest Quarter of said Section 7, a distance of 344.49 feet;

Thence South 89 degrees 05 minutes 35 seconds West, parallel with and 618.99 feet North of the South line of the Southwest Quarter of said Section 7, a distance of 32.00 feet, to the **POINT OF BEGINNING**.

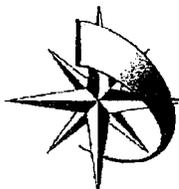
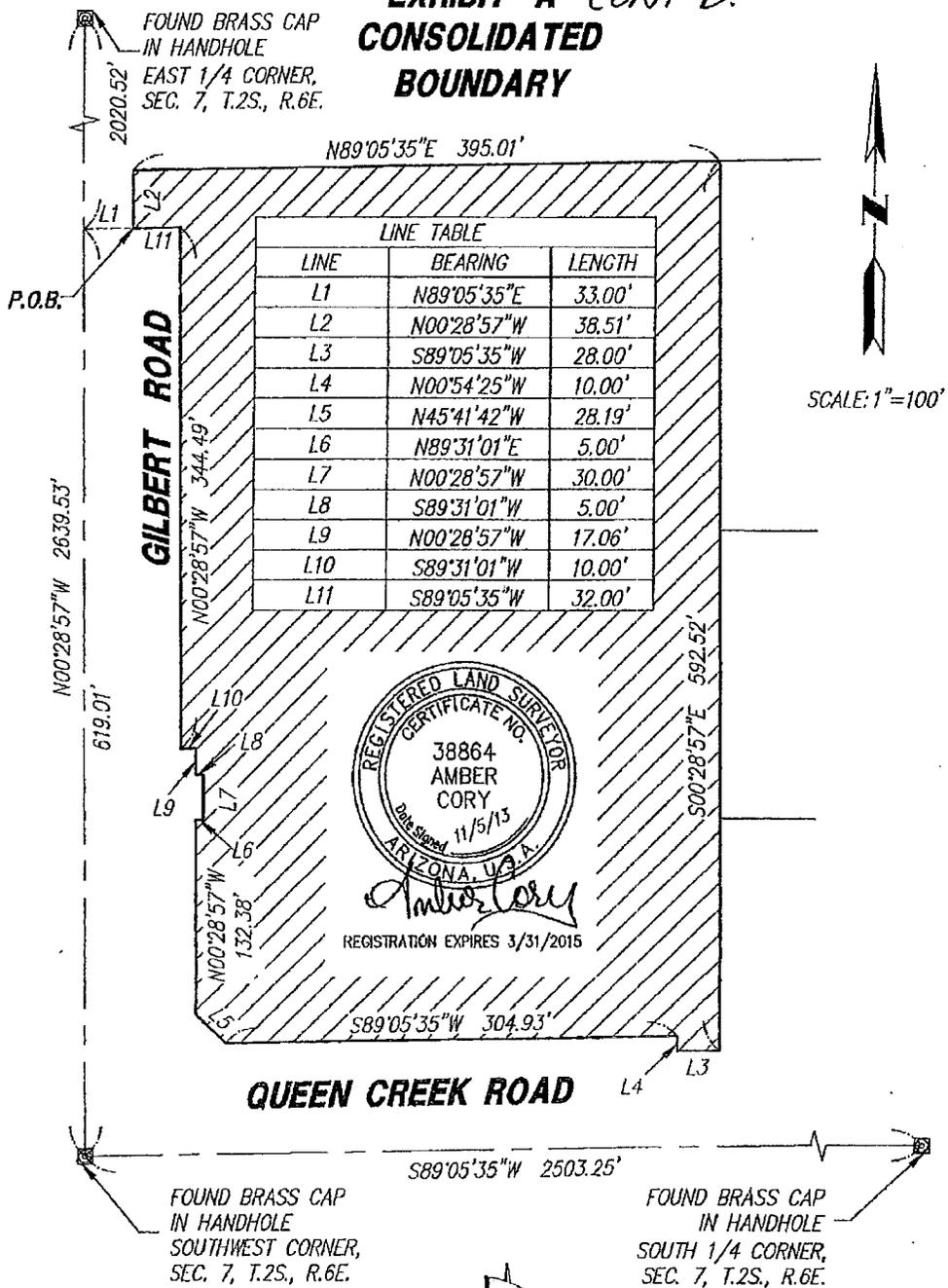
Encompassing 210,621 square feet or 4.835 acres, more or less.

See Exhibit "A" attached hereto and made a part hereof.



Any modification to or omission from this description completely absolves the surveyor from any liability for this description.

**EXHIBIT 'A' CONT'D.  
CONSOLIDATED  
BOUNDARY**



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