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ORDINANCE NO. 4719

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 PAD AMENDED TO ELIMINATE A ZONING CONDITION REQUIRING 'FOR-SALE' MULTI-FAMILY UNITS INCLUDING A MID-RISE OVERLAY FOR BUILDINGS UP TO 57-FEET IN HEIGHT ON A PORTION OF BUILDINGS ADJACENT TO WATER'S EDGE IN CASE DVR16-0008 (ARISTA AT OCOTILLO) 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 Amended to eliminate a zoning condition requiring 'for-sale' multi-family units, and Mid-Rise Overlay for building heights up to 57 feet on a portion of buildings adjacent to water's edge, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "Arista at Ocotillo" and kept on file in the City of Chandler Planning Division, in File No. DVR16-0008, 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. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
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. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual # 4).
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. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Transportation & Development Director for arterial street median landscaping.
8. Maximum building height shall be limited to 57 feet.

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.

THE WATERS AT OCOTILLO – PARCEL 8

LEGAL DESCRIPTION

LOTS 2 AND 3, OF THE WATERS AT OCOTILLO - PARCEL 8, ACCORDING TO
BOOK 1037 OF MAPS, PAGE 11, RECORDS OF MARICOPA COUNTY, ARIZONA.
