

# 13  
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**Chandler • Arizona**  
*Where Values Make The Difference*

**MEMORANDUM**                      **Planning & Development - CC Memo No. 06-320**

**DATE:**            DECEMBER 21, 2006

**TO:**                MAYOR AND CITY COUNCIL

**THRU:**            W. MARK PENTZ, CITY MANAGER  
                     DOUG BALLARD, PLANNING & DEVELOPMENT DIRECTOR  
                     JEFF KURTZ, ASSISTANT PLANNING & DEVELOPMENT DIRECTOR  
                     BOB WEWORSKI, PRINCIPAL PLANNER

**FROM:**            ERIK SWANSON, CITY PLANNER

**SUBJECT:**        DVR06-0059 VILLAS AT LONE TREE  
                     Introduction and Tentative Adoption of Ordinance No. 3875

**Request:**            Request rezoning from Planned Area Development (PAD) to PAD (amended) to eliminate an approved zoning condition requiring copper plumbing.

**Location:**            SWC of Lindsay and Riggs Roads

**Applicant:**            Cornerstone Homes, Evan Schube

**Project Info:**        222 condominium units on approximately 20 acres  
                                 11.56 du/ac

**RECOMMENDATION**

Planning Commission and Staff, upon finding consistency with the General Plan, Southeast Chandler Area Plan and PAD zoning, recommend approval.

**BACKGROUND**

In August of this year, City Council approved a request for a Preliminary Development Plan (PDP) for this site to allow 'for-sale' condominiums. The Villas at Lone Tree is located at the southwest corner of Lindsay and Riggs Roads. Currently, the site is vacant and in a weed free manner. To the north of the subject site across Riggs Road are the Offices at Shadow Ridge. To the west and south of the site are the Lone Tree Golf Course and Solera adult residential

community. Located directly to the south of the site is a Chandler well site. East of the site across Lindsay Road is the Riggs Ranch Marketplace and the Sun Groves community.

The application requests a zoning amendment to eliminate stipulation No. 6 of Ordinance No. 2879 that requires copper plumbing for those lines under water pressure. The homebuilder is requesting to eliminate the stipulation to allow the use of an alternative plumbing material, cross-linked polyethylene (pex)

On January 27, 2005 Council adopted the 2003 International Code (I-Code). Pex piping is specifically addressed in the I-Code and is a permitted material. Currently, the use of any other material other than copper for lines under water pressure, is prohibited through a zoning stipulation. Even though pex piping is an approved material, it may not be used in a subdivision where copper plumbing has already been stipulated without the developer returning to Council to have the stipulation removed.

There are many positives that arise from the use of pex plumbing over copper plumbing. Pex plumbing is more flexible allowing for easier maneuverability and installation. Pex plumbing is freeze resistant and can withstand temperatures up to 180 degrees for plumbing uses. Pex plumbing is corrosive resistant and non-toxic.

#### **PUBLIC/NEIGHBORHOOD NOTIFICATION**

- The request was notified in accordance with the requirements of the Chandler Zoning Code.
- Staff has not received any calls regarding this application.

To date, Staff has received one phone call from a nearby resident requesting general information.

#### **PLANNING COMMISSION VOTE REPORT**

Motion to Approve:                      In Favor: 6    Opposed: 0    Absent: 1 (Anderson)

#### **RECOMMENDED ACTION**

Planning Commission and Staff, upon finding consistency with the General Plan, recommend approval of DVR06-0059 VILLAS AT LONE TREE, subject to the following condition:

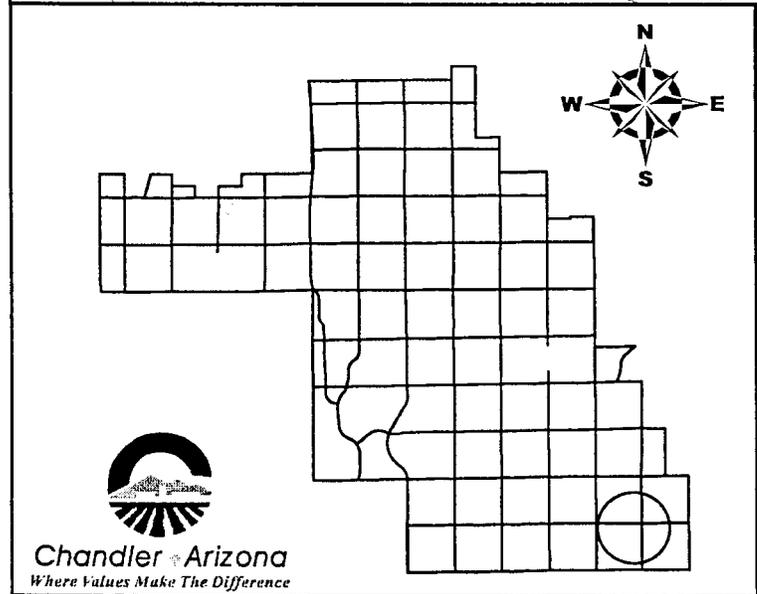
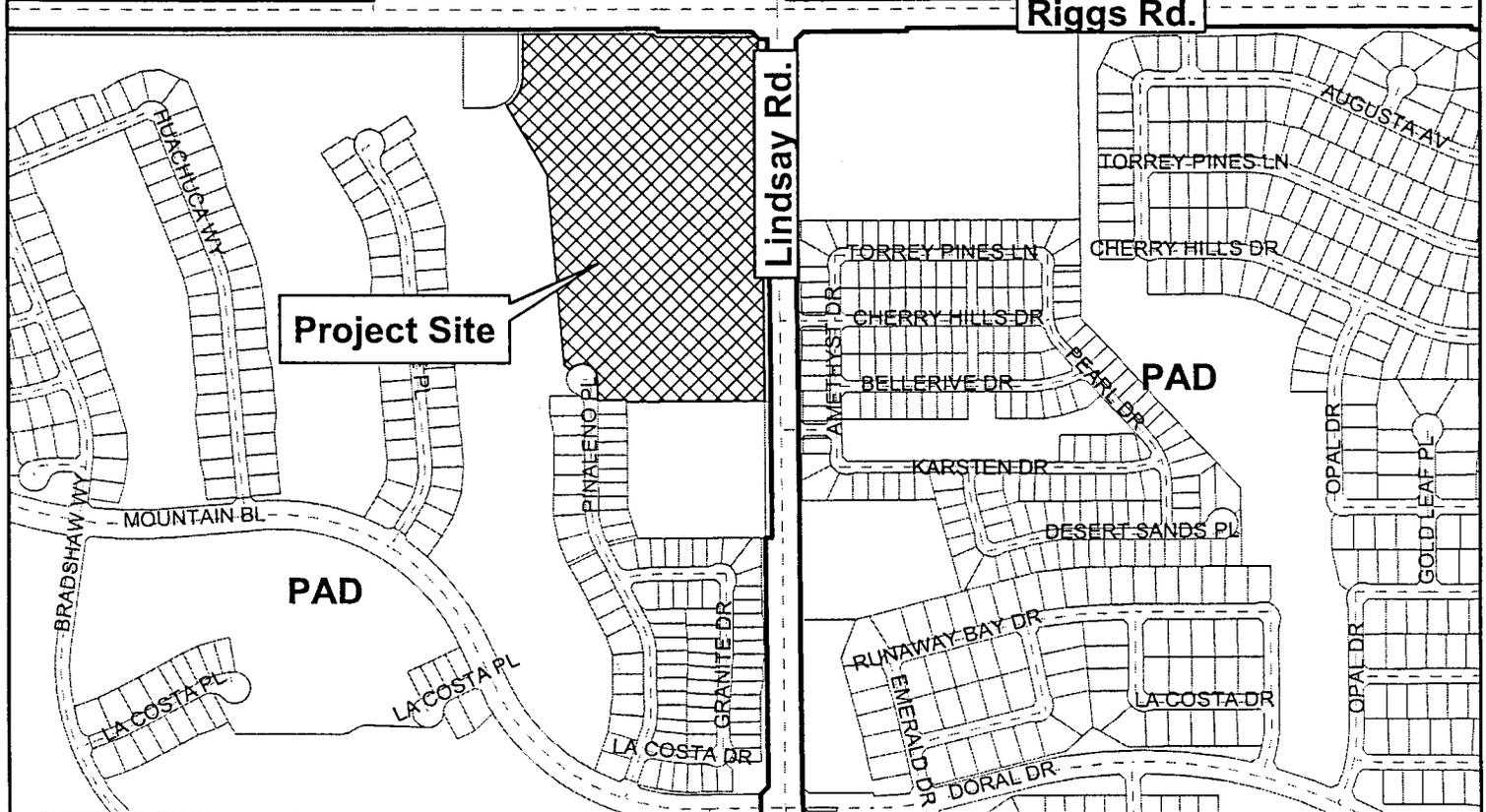
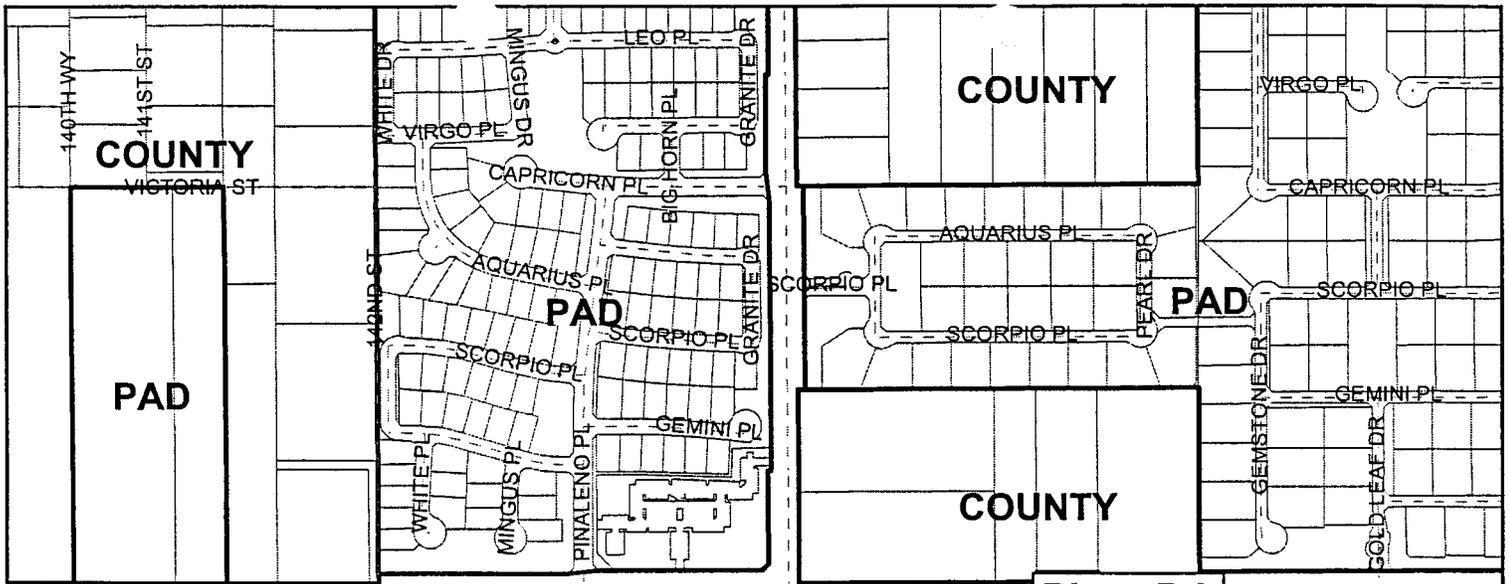
1. Prior to the time of making any lot reservations or subsequent sales agreements, the home builder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the subdivision is located adjacent to or nearby a well site. The "Public Subdivision Report", "Purchase Contracts", CC&R's, and the individual lot property deeds shall include a disclosure statement outlining that the site is adjacent to or nearby a well site, and the disclosure shall state that such a use is legal and should be expected to continue indefinitely. The disclosure shall be presented to prospective homebuyers on a separate, single form for them to read and sign prior to or simultaneously with executing a purchase agreement. This responsibility for notice rests with the homebuilder/lot developer and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.

**PROPOSED MOTION**

Move to introduce and tentatively adopt Ordinance No. 3875 approving rezoning request DVR06-0059 VILLAS AT LONE TREE, as recommended by Planning Commission and Staff.

**Attachments:**

1. Vicinity Map
2. Site Plan
3. Ordinance No. 2879 (Original zoning)
4. Ordinance No. 3875 (Amended zoning)
5. Applicant Narrative



**Vicinity Map**

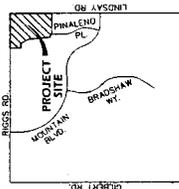
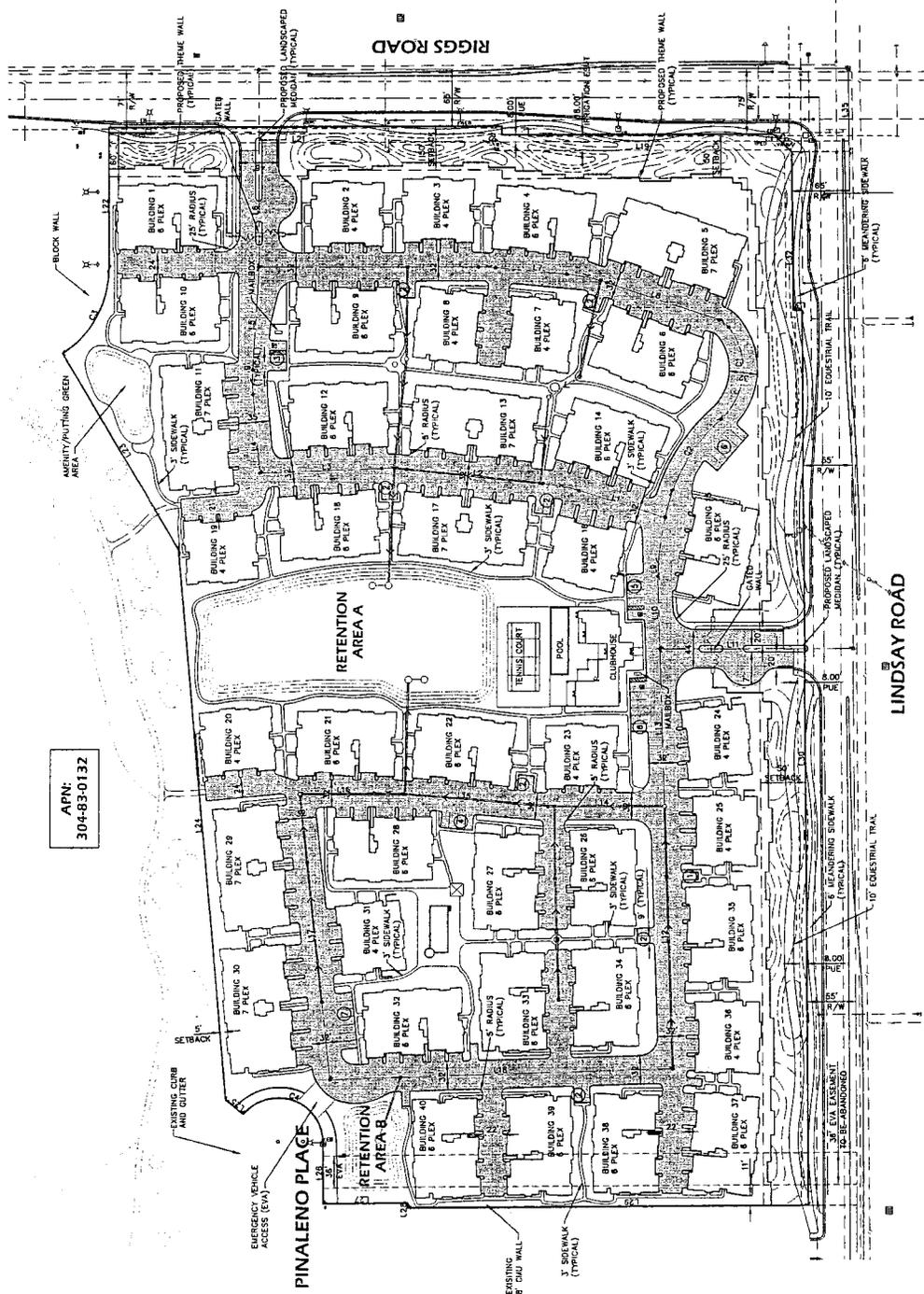
 DVR06-0059

**Villas at Lone Tree**

CITY OF CHANDLER 11/17/2006

LINK	BEARING	LENGTH	AREA
L1	N 89° 59' 31" W	14.33	10.14
L2	S 89° 59' 31" W	14.33	10.14
L3	S 00° 00' 00" W	14.33	10.14
L4	N 00° 00' 00" W	14.33	10.14
L5	N 89° 59' 31" W	14.33	10.14
L6	S 89° 59' 31" W	14.33	10.14
L7	S 00° 00' 00" W	14.33	10.14
L8	N 00° 00' 00" W	14.33	10.14
L9	N 89° 59' 31" W	14.33	10.14
L10	S 89° 59' 31" W	14.33	10.14
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L95	S 00° 00' 00" W	14.33	10.14
L96	N 00° 00' 00" W	14.33	10.14
L97	N 89° 59' 31" W	14.33	10.14
L98	S 89° 59' 31" W	14.33	10.14
L99	S 00° 00' 00" W	14.33	10.14
L100	N 00° 00' 00" W	14.33	10.14

COOR.	AREA	PERIMETER	PERCENT	PERIMETER	PERCENT
1	1.00	1.00	100.00	1.00	100.00
2	1.00	1.00	100.00	1.00	100.00
3	1.00	1.00	100.00	1.00	100.00
4	1.00	1.00	100.00	1.00	100.00
5	1.00	1.00	100.00	1.00	100.00
6	1.00	1.00	100.00	1.00	100.00
7	1.00	1.00	100.00	1.00	100.00
8	1.00	1.00	100.00	1.00	100.00
9	1.00	1.00	100.00	1.00	100.00
10	1.00	1.00	100.00	1.00	100.00
11	1.00	1.00	100.00	1.00	100.00
12	1.00	1.00	100.00	1.00	100.00
13	1.00	1.00	100.00	1.00	100.00
14	1.00	1.00	100.00	1.00	100.00
15	1.00	1.00	100.00	1.00	100.00
16	1.00	1.00	100.00	1.00	100.00
17	1.00	1.00	100.00	1.00	100.00
18	1.00	1.00	100.00	1.00	100.00
19	1.00	1.00	100.00	1.00	100.00
20	1.00	1.00	100.00	1.00	100.00
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27	1.00	1.00	100.00	1.00	100.00
28	1.00	1.00	100.00	1.00	100.00
29	1.00	1.00	100.00	1.00	100.00
30	1.00	1.00	100.00	1.00	100.00
31	1.00	1.00	100.00	1.00	100.00
32	1.00	1.00	100.00	1.00	100.00
33	1.00	1.00	100.00	1.00	100.00
34	1.00	1.00	100.00	1.00	100.00
35	1.00	1.00	100.00	1.00	100.00
36	1.00	1.00	100.00	1.00	100.00
37	1.00	1.00	100.00	1.00	100.00
38	1.00	1.00	100.00	1.00	100.00
39	1.00	1.00	100.00	1.00	100.00
40	1.00	1.00	100.00	1.00	100.00
41	1.00	1.00	100.00	1.00	100.00
42	1.00	1.00	100.00	1.00	100.00
43	1.00	1.00	100.00	1.00	100.00
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45	1.00	1.00	100.00	1.00	100.00
46	1.00	1.00	100.00	1.00	100.00
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48	1.00	1.00	100.00	1.00	100.00
49	1.00	1.00	100.00	1.00	100.00
50	1.00	1.00	100.00	1.00	100.00
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66	1.00	1.00	100.00	1.00	100.00
67	1.00	1.00	100.00	1.00	100.00
68	1.00	1.00	100.00	1.00	100.00
69	1.00	1.00	100.00	1.00	100.00
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71	1.00	1.00	100.00	1.00	100.00
72	1.00	1.00	100.00	1.00	100.00
73	1.00	1.00	100.00	1.00	100.00
74	1.00	1.00	100.00	1.00	100.00
75	1.00	1.00	100.00	1.00	100.00
76	1.00	1.00	100.00	1.00	100.00
77	1.00	1.00	100.00	1.00	100.00
78	1.00	1.00	100.00	1.00	100.00
79	1.00	1.00	100.00	1.00	100.00
80	1.00	1.00	100.00	1.00	100.00
81	1.00	1.00	100.00	1.00	100.00
82	1.00	1.00	100.00	1.00	100.00
83	1.00	1.00	100.00	1.00	100.00
84	1.00	1.00	100.00	1.00	100.00
85	1.00	1.00	100.00	1.00	100.00
86	1.00	1.00	100.00	1.00	100.00
87	1.00	1.00	100.00	1.00	100.00
88	1.00	1.00	100.00	1.00	100.00
89	1.00	1.00	100.00	1.00	100.00
90	1.00	1.00	100.00	1.00	100.00
91	1.00	1.00	100.00	1.00	100.00
92	1.00	1.00	100.00	1.00	100.00
93	1.00	1.00	100.00	1.00	100.00
94	1.00	1.00	100.00	1.00	100.00
95	1.00	1.00	100.00	1.00	100.00
96	1.00	1.00	100.00	1.00	100.00
97	1.00	1.00	100.00	1.00	100.00
98	1.00	1.00	100.00	1.00	100.00
99	1.00	1.00	100.00	1.00	100.00
100	1.00	1.00	100.00	1.00	100.00



**PRELIMINARY SITE PLAN**

**AN VIEW**

**ENGINEER**  
CORNESTON WALKER & DEVELOPMENT CENTER & BURGESS  
101 N. FIRST AVENUE, SUITE 3100  
PHOENIX, ARIZONA 85003  
CONTACT: DEAN SHERER

**DEVELOPER**  
ELEVATION # 1268 68 (CITY OF CHANDLER DATUM)  
RIGGS ROAD AND LINDSAY DRIVE  
CHANDLER, ARIZONA 85003  
CONTACT: EMAN SORBE

**DATE** 07/27/06

**DESIGNED BY** MLP

**CHECKED BY** SFR

**DATE** 07/27/06

**UTILITIES**  
SEWER  
WATER  
GAS  
TELEPHONE  
CITY OF CHANDLER  
SOUTHWEST GAS  
ARIZONA POWER & LIGHT  
CITY OF CHANDLER  
REFUSE COLLECTION

ORDINANCE NO. 2879

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM AG-1 TO PAD (PL98-045 SPRINGFIELD LAKES/PL98-073 SPRINGFIELD LAKES VILLAS) 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:

A portion of Section 31, Township 2 South, Range 6 East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described in zoning case file PL98-045 SPRINGFIELD LAKES/ PL98-073 SPRINGFIELD LAKES VILLAS on file with the Planning Division.

Said parcel is hereby rezoned from AG-1 to PAD, subject to the following conditions:

1. Right-of-way dedications to achieve full half-widths for Gilbert Road, Riggs Road and Lindsay Road, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan. The applicant shall dedicate 60 feet of right-of-way for Hunt Highway as well.

2. Undergrounding, if applicable, of all overhead electric (under 69KV), communications, and television lines and any open irrigation ditches or canals located on the site or within adjacent rights-of-way and/or easements in accordance with City adopted design and engineering standards.
3. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual #4), except that the location of the project entrance off of Riggs Road is approved in the location shown on the Springfield Lakes plan and preliminary plat.
4. Completion of the construction, where applicable, 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. Construction shall commence above foundation walls within two (2) 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.
6. All dwelling units shall have all copper plumbing supply lines.
7. Development shall be in substantial conformance with Exhibit A, Development Booklet, except as modified by condition herein.
8. The covenants, conditions and restrictions (CC & R's) to be filed and recorded with the subdivision shall mandate the installation of front yard landscaping within 180 days from the date of occupancy with the homeowner's association responsible for monitoring and enforcement of this requirement.
9. The landscaping in all open spaces and rights-of-way shall be maintained by the adjacent property owner or a homeowners' association.
10. Approval by the Director of Planning and Development of plans for landscaping (open spaces and rights-of-way) and perimeter walls.
11. Due to the impact of the development, a development agreement in the form approved by the City as required to provide necessary public infrastructure.

12. The multi-family portion of the development is represented as age-restricted with residents being 55 years of age. In order to ensure that the multi-family portion of the development remains as an active adult apartment development, any proposed change in the age restricted resident requirement shall require a PAD zoning amendment.
13. The approval for the non-restricted single-family portion of the overall development is for Preliminary Development Plan for only the subdivision layout and thus a Preliminary Development Plan is required for the housing product at some future date.
14. The source of water that shall be used on the golf course and lakes is reclaimed water (a.k.a. effluent). If reclaimed water is not available at the time of golf course construction, the golf course and lakes will be irrigated and supplied with water, other than surface water from any irrigation district, by the owner of the golf course and lakes through sources consistent with the laws of the State of Arizona and the rules and regulations of the Arizona Department of Water Resources. The golf course and lakes will not be irrigated and supplied with water by or through the use of potable water provided by the City of Chandler or any other source that will otherwise interfere with, impede, diminish, reduce, limit or otherwise adversely affect the City of Chandler's municipal water service area nor shall such provision of water cause a credit or charge to be made against the City of Chandler's gallons per capita per day (GPCD) allotment or allocation. However, once effluent is of the quantity and quality needed to support normal golf course and lake operations available to the property, effluent shall be used to irrigate the golf course and lakes.

In the event the owner sells or otherwise transfers the golf course and lakes to another person or entity, the owner will also sell or transfer to the buyer of the golf course, at the buyer's option, the water rights and permits then applicable to the golf course and lakes.

The limitation that the water for the golf course and lakes is to be owner-provided and the restriction provided for in the preceding sentence shall be stated on the final plat governing the golf course, so as to provide notice to any future owners.

15. The Public Report, Purchase Contracts, and Final Plats shall include a disclosure statement outlining that the Springfield Lakes development shall use treated effluent to supply lakes and water golf course.
16. Verification of the completion of construction of the golf course shall be submitted to the Planning Staff prior to Certificates of Occupancy for homes (except model homes) in the age restricted portions of the overall development.

SECTION II. Except where provided, nothing contained herein shall be construed to be and abridgment of any other ordinance of the City of Chandler.

SECTION III. The Planning & 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 10 day of SEPTEMBER, 1998.

ATTEST:

Cecelia A. Brown  
CITY CLERK

Bill Johnson  
MAYOR

PASSED AND ADOPTED by the City Council this 24 day of SEPTEMBER, 1998.

ATTEST:

Cecelia A. Brown  
CITY CLERK

Bill Johnson  
MAYOR

**CERTIFICATION**

I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 2879 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the 24 day of SEPTEMBER, 1998, and that a quorum was present thereat.

Cecelia A. Brown  
CITY CLERK

APPROVED AS TO FORM:

Dennis M. O'Neill  
CITY ATTORNEY

PUBLISHED: 9/30 + 10/7/98

## ORDINANCE NO. 3875

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM PAD TO PAD (DVR06-0059 VILLAS AT LONE TREE) 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. A legal description of the property affected by this Ordinance is attached as Attachment 'A'.

SECTION II. Said property is hereby rezoned to delete Condition No. 6 of Ordinance No. 2879 requiring all lines under water pressure shall be copper.

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

1. Prior to the time of making any lot reservations or subsequent sales agreements, the home builder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the subdivision is located adjacent to or nearby a well site. The "Public Subdivision Report", "Purchase Contracts", CC&R's, and the individual lot property deeds shall include a disclosure statement outlining that the site is adjacent to or nearby a well site, and the disclosure shall state that such a use is legal and should be expected to continue indefinitely. The disclosure shall be presented to prospective homebuyers on a separate, single form for them to read and sign prior to or simultaneously with executing a purchase agreement. This responsibility for notice rests with the homebuilder/lot developer and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.



# Attachment 'A'

**LEGAL DESCRIPTION  
LONETREE  
OVERALL PROPERTY**

A portion of the Northeast Quarter of Section 31, Township 2 South, Range 6 East, Gila and Salt River Meridian, Maricopa County, Arizona, described as follows:

COMMENCING at the Northeast Corner of Section 31, from which the North Quarter Corner of Section 31 bears South 89 degrees 56 minutes 19 seconds West, a distance of 2642.27 feet;

THENCE South 00 degrees 24 minutes 29 seconds East, along the East line of the Northeast quarter of said Section, a distance of 94.61 feet to the **POINT OF BEGINNING**;

THENCE continuing South 00 degrees 24 minutes 29 seconds East, along said East line, a distance of 1200.03 feet, from which the East Quarter Corner of Section 31 bears South 00 degrees 24 minutes 29 seconds East, a distance of 1352.52 feet;

THENCE departing said East line, South 89 degrees 35 minutes 31 seconds West, a distance of 505.00 feet to the Northwest Corner of the City of Chandler Water Production Facility, according to Special Warranty Deed, Document No. 2000-0625311, Maricopa County Records;

THENCE North 00 degrees 24 minutes 31 seconds West, a distance of 5.68 feet to the Northerly line of Springfield Lakes Block 3, Book 575, Page 42, Maricopa County Records;

THENCE along said Northerly line the following three (3) courses:

THENCE South 89 degrees 35 minutes 31 seconds West, a distance of 95.00 feet;

THENCE North 00 degrees 24 minutes 29 seconds West, a distance of 70.23 feet to the beginning of a 50.00 foot radius tangent curve, concave Southerly;

THENCE Northwesterly along said curve, through a central angle of 140 degrees 23 minutes 51 seconds, an arc length of 122.52 feet to the Easterly line of Tract GC-2, Springfield Lakes Unit One, Book 534, Page 17, Maricopa County Records;

THENCE along said Easterly line the following three (3) courses:

THENCE North 50 degrees 48 minutes 36 seconds West, a distance of 25.67 feet;

THENCE North 04 degrees 51 minutes 02 seconds West, a distance of 631.27 feet;

THENCE North 30 degrees 13 minutes 50 seconds West, a distance of 259.37 feet to the Easterly line of Tract BMF-2, Springfield Lakes Unit One, Book 534, Page 17, Maricopa County Records, and the beginning of a non-tangent curve, from which the radius point bears North 32 degrees 56 minutes 56 seconds West, a distance of 114.00 feet;

THENCE along last said Easterly line the following two (2) courses:

THENCE Northeasterly along said curve, through a central angle of 57 degrees 06 minutes 45 seconds, an arc length of 113.64 feet;

THENCE North 00 degrees 03 minutes 41 seconds West, a distance of 160.73 feet to the Northerly line of Tract BMF-1, Springfield Lakes Unit One, Book 534, Page 17, Maricopa County Records;

THENCE along said Northerly line the following four (4) courses:

THENCE North 89 degrees 56 minutes 19 seconds East, a distance of 442.62 feet;

THENCE South 00 degrees 03 minutes 41 seconds East, a distance of 10.00 feet;

THENCE North 89 degrees 56 minutes 19 seconds East, a distance of 305.00 feet;

THENCE South 45 degrees 14 minutes 05 seconds East, a distance of 28.37 feet;

THENCE North 89 degrees 35 minutes 31 seconds East, a distance of 65.00 feet to the **POINT OF BEGINNING.**

Containing 928,197 square feet or 21.31 acres, more or less.





11/1/2006

Erik Swanson  
City of Chandler Planning Department  
215 E Buffalo St #104  
Chandler, AZ 85225

Dear Erik,

This letter is intended to supplement the enclosed re-zoning application for Villas at Lone Tree. Included in this letter is a brief overview of the project, followed by a general description of the re-zoning request. The purpose of the re-zoning request is to remove a zoning stipulation associated with the approval of the Springfield Lakes PAD that restricts our ability to build the proposed condominiums in a manner consistent with current building codes.

The Villas at Lone Tree is a 222 unit multi-family project located at the SWC of Lindsay and Riggs Roads. The PDP for Villas at Lone Tree was approved by City Council on August 31, 2006. Plats and improvement plans have been submitted and are currently being reviewed by the City.

This re-zoning request is required as the approval of the PAD zoning case for Springfield Lakes (Ordinance No. 2879) stipulates "all dwelling units shall have all copper plumbing supply lines" (zoning stipulation number 6 in the enclosed Ordinance). Since current building codes permit the use of Pex plumbing supply lines, we respectfully request the removal of the aforementioned zoning stipulation.

We look forward to working with you on this request. Should you have any questions or need clarification on our re-zoning request, please feel free to contact me.

Respectfully Submitted,

Evan P. Schube

