

#4
MAR 05 2007

ORDINANCE NO. 3883

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) (DVR06-0057 STONEFIELD II) 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 AG-1 to PAD, subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "STONEFIELD II", kept on file in the City of Chandler Planning Services Division, in File No. DVR06-0057, except as modified by condition herein.
2. 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 homeowners' association responsible for monitoring and enforcement of this requirement.

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. 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.
7. 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.
8. 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.
9. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or a homeowners' association.
10. The side yard setbacks for "Site B" shall be a minimum of 5 feet and 10 feet.
11. No more than two identical side-by-side roof slopes should be constructed along arterial or collector streets or public open space.
12. The tot lots shall have a total combined minimum of 20 play stations. The climbing boulders shall count as individual play stations towards the total amount.
13. All homes built on corner lots within the residential subdivision shall be single story or a combination of one- and two-story with the one-story portion on the street side.

14. The same elevation shall not be built side-by-side or directly across the street from one another.
15. When two-story homes are built on adjacent lots, a 20-foot separation shall be provided between the two-story elements.
16. A minimum of two trees at a minimum of 2-inch caliper each shall be planted in all front yards.
17. Homebuilder will advise all prospective homebuyers of the information on future City facilities contained in the City Facilities map found at www.chandleraz.gov/infomap, or available from the City's Communication and Public Affairs Department. The homebuilder shall post a copy of the City Facilities map in the sales office showing the location of future and existing City facilities.
18. The source of water that shall be used on the open space, common areas, and landscape tracts shall be reclaimed water (effluent). If reclaimed water is not available at the time of construction, and the total landscapable area is 10 acres in size or greater, these areas will be irrigated and supplied with water, other than surface water from any irrigation district, by the owner of the development through sources consistent with the laws of the State of Arizona and the rules and regulations of the Arizona Department of Water Resources. If the total landscapable area is less than 10 acres in size, the open space common areas, and landscape tracts may 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 not 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, when the City of Chandler has effluent of sufficient quantity and quality which meets the requirements of the Arizona Department of Environmental Quality for the purposes intended available to the property to support the open space, common areas, and landscape tracts available, Chandler effluent shall be used to irrigate these areas.

In the event the owner sells or otherwise transfers the development to another person or entity, the owner will also sell or transfer to the buyer of the development, at the buyer's option, the water rights and permits then applicable to the development. The limitation that the water for the development is to be owner-provided and the restriction provided for in the preceding sentence shall be stated on the final plat governing the development, so as to provide notice to any future owners. The Public Report, Purchase Contracts, and Final Plats shall include a disclosure statement outlining that the DVR06-0057 STONEFIELD II

GAB
CITY ATTORNEY

PUBLISHED:

ATTACHMENT 'A'



October 20, 2006
Rick No. 3704
SCB

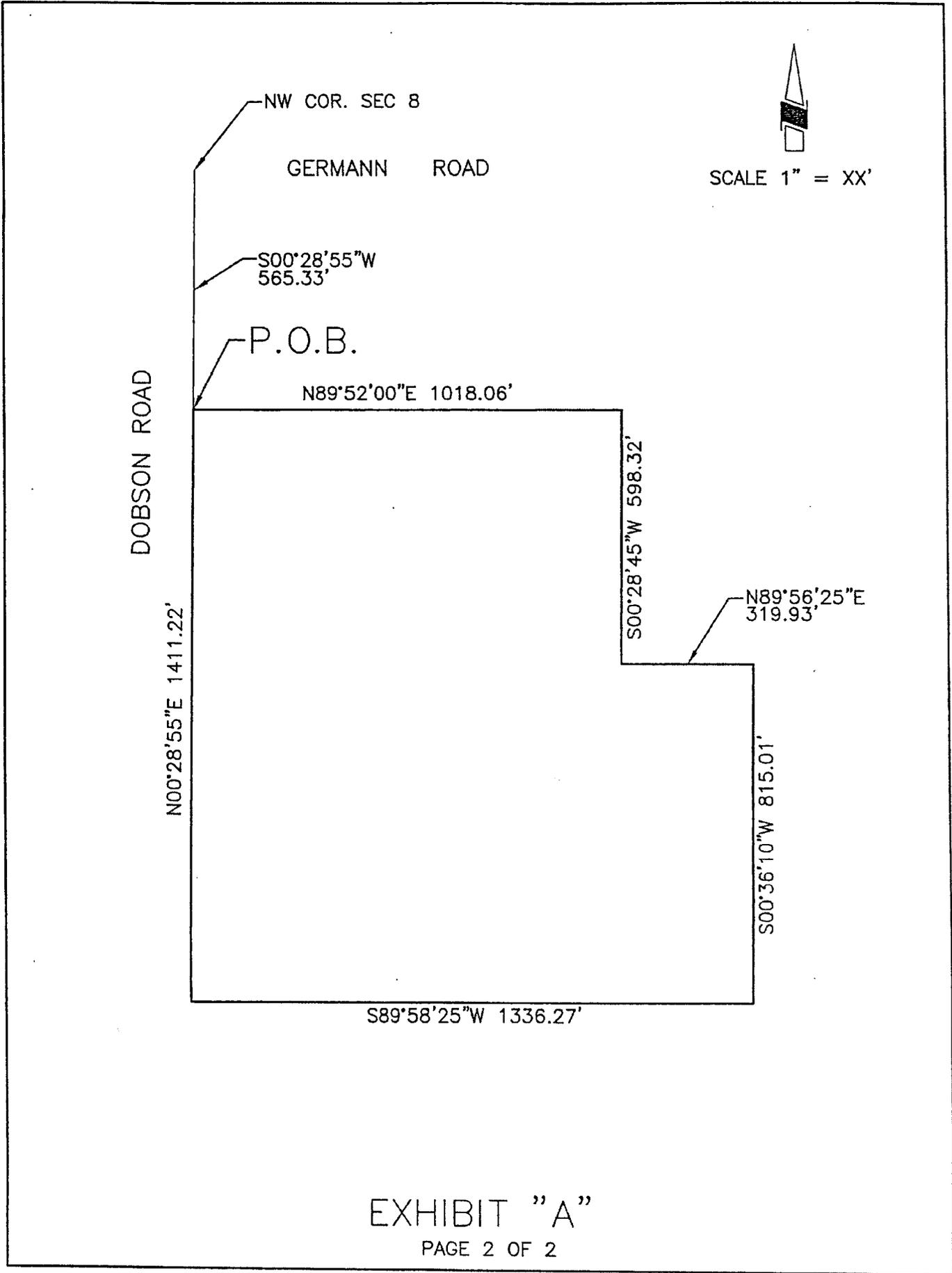
GROSS AREA

A portion of the Northwest quarter of Section 8, Township 2 South, Range 5 East, Gila and Salt River Meridian, Maricopa County, Arizona, being more particularly described as follows:

COMMENCING at the Northwest corner of said Section 8;
THENCE South 00 degrees 28 minutes 55 seconds West, along the West line of said Northwest quarter, 565.33 feet to the POINT OF BEGINNING;
THENCE North 89 degrees 52 minutes 00 seconds East, 1018.06 feet;
THENCE South 00 degrees 28 minutes 45 seconds West, 598.32 feet;
THENCE North 89 degrees 56 minutes 25 seconds East, 319.93 feet;
THENCE South 00 degrees 36 minutes 10 seconds West, 815.01 feet;
THENCE South 89 degrees 58 minutes 25 seconds West, 1336.27 feet to the aforementioned West line of the Northwest quarter;
THENCE North 00 degrees 28 minutes 55 seconds East, along said West line, 1411.22 feet to the POINT OF BEGINNING, as shown on Exhibit "A" attached herewith as page 2 of 2. Subject parcel comprising 38.972 acres, more or less, and subject to all easements of record.

This description is based on information provided to the surveyor.





SCALE 1" = XX'

NW COR. SEC 8

GERMANN ROAD

S00°28'55"W
565.33'

P.O.B.

N89°52'00"E 1018.06'

DOBSON ROAD

N00°28'55"E 1411.22'

S00°28'45"W 598.32'

N89°56'25"E
319.93'

S00°36'10"W 815.01'

S89°58'25"W 1336.27'

EXHIBIT "A"

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