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JUL 23 2007

**ORDINANCE NO. 3940**

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 (DVR06-0048 POLLACK DOBSON PLAZA) 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 subject to the following conditions:

1. Development shall be in substantial conformance with the exhibits and representations.
2. No more than 10 rental vehicles may be parked on-site at any time.
3. The landscaping shall be maintained at a level consistent with or better than at the time of planting. The site shall be maintained in a clean and orderly manner.

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 & 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 \_\_\_\_ day of \_\_\_\_\_, 2007.

ATTEST:

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

\_\_\_\_\_  
MAYOR

PASSED AND ADOPTED by the City Council this \_\_\_\_ day of \_\_\_\_\_, 2007.

ATTEST:

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

\_\_\_\_\_  
MAYOR

CERTIFICATION

I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 3940 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2007, and that a quorum was present thereat.

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

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY *GMB*

PUBLISHED:

**EXHIBIT "A"****PARCEL NO. 1:**

Parcel 1 SHOP (SOUTH), DOBSON/ELLIOT PLAZA, according to the plat of record in the office of the county Recorder of Maricopa County, Arizona, recorded in Book 321 of Maps, Page 14;

EXCEPT a parcel of land lying within the Southeast quarter of Section 7, Township 1 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at the Southeast corner of said Section 7, from which the East quarter corner of said Section 7 bears North 0 degrees 27 minutes 55 seconds West a distance of 2644.09 feet;

Unofficial Document

thence North 78 degrees 19 minutes 26 seconds West a distance of 255.72 feet to the Southeast corner of Parcel 1 (South) of Map of Dedication of Dobson/Elliot Plaza, recorded in Book 321 of Maps, Page 14, Maricopa County Records, and the POINT OF BEGINNING;

thence South 89 degrees 15 minutes 21 seconds West along the South line of said parcel a distance of 29.00 feet to the West line of said parcel;

thence North 00 degrees 27 minutes 55 seconds West along said West line a distance of 17.00 feet;

thence North 89 degrees 15 minutes 21 seconds East a distance of 29.00 feet to the East line of said parcel;

thence South 00 degrees 27 minutes 55 seconds East a distance of 17.00 feet to the POINT OF BEGINNING; and

EXCEPT a parcel of land lying within the Southeast quarter of Section 7, Township 1 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at the Southeast corner of said Section 7 from which the East quarter corner of said Section 7 bears North 0 degrees 27 minutes 55 seconds West a distance of 2644.09 feet;

thence North 11 degrees 12 minutes 49 seconds West a distance of 294.91 feet to the most Easterly Southeast corner of Parcel 1 (South) of Map of Dedication of Dobson/Elliot Plaza, recorded in Book 321 of Maps, Page 14, Maricopa County Records and the POINT OF BEGINNING;

thence South 89 degrees 15 minutes 21 seconds West along a line common to said parcel and the North line of that parcel described in 96-0383992 of Official Records of Maricopa County, a distance of 15.00 feet;

thence North 00 degrees 27 minutes 55 seconds West a distance of 72.12 feet;

thence South 89 degrees 15 minutes 21 seconds West a distance of 12.00 feet;

thence North 00 degrees 27 minutes 55 seconds West a distance of 52.38 feet;

thence North 89 degrees 15 minutes 21 seconds East a distance of 12.00 feet;

thence North 00 degrees 27 minutes 55 seconds West a distance of 5.00 feet to the North line of said Parcel 1 (South);

thence North 89 degrees 15 minutes 21 seconds East along said North line a distance of 15.00 feet to the Northeast corner of said parcel;

thence South 00 degrees 27 minutes 55 seconds East along the East line of said parcel a distance of 129.50 feet to the POINT OF BEGINNING;

Unofficial Document

Said Exceptions being conveyed to the City of Chandler by Order of Immediate Possession recorded May 28, 2002 as 2002-0542676 of Official Records.

PARCEL NO. 2:

Parcel 1 SHOP (NORTH) and Parcel 3, DOBSON/ELLIOT PLAZA, according to the plat of record in the office of the County Recorder of Maricopa County, recorded in Book 321 of Maps, Page 14;

EXCEPT from said Parcel 1 Shop (North), the following described property:

A parcel of land lying within the Southeast quarter of Section 7, Township 1 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at the Southeast corner of said Section 7 from which the east quarter corner of said Section 7 bears North 0 degrees 27 minutes 55 seconds West a distance of 2644.09 feet;

thence North 07 degrees 56 minutes 22 seconds West a distance of 422.82 feet to the Southeast corner of Parcel 1 (North) of Map of Dedication of Dobson/Elliot Plaza, recorded in Book 321 of Maps, Page 14, Maricopa County Records, and the POINT OF BEGINNING;

thence South 89 degrees 15 minutes 21 seconds West along the South line of said parcel a distance of 17.00 feet;

thence North 00 degrees 27 minutes 55 seconds West a distance of 105.51 feet;

thence North 89 degrees 15 minutes 21 seconds East along the North line of said parcel a distance of 17.00 feet to the Northeast corner of said parcel;

thence South 0 degrees 27 minutes 55 seconds East along the East line of said parcel a distance of 105.51 feet to the POINT OF BEGINNING; and

EXCEPT from said Parcel 3, the following described parcel:

A parcel of land lying within the Southeast quarter of Section 7, Township 1 South, Range 5 East of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at the Southeast corner of said Section 7 from which the East quarter corner of said Section 7 bears North 0 degrees 27 minutes 55 seconds West, a distance of 2644.09 feet;

thence North 06 degrees 26 minutes 56 seconds West a distance of 527.61 feet to the Southeast corner of Parcel 3 of Map of Dedication of Dobson/Elliot Plaza, recorded in Book 321 of Maps, Page 14, Maricopa County Records, and the POINT OF BEGINNING;

thence South 89 degrees 15 minutes 21 seconds West along the South line of said parcel a distance of 12.00 feet;

thence North 00 degrees 27 minutes 55 seconds West, a distance of 94.99 feet to the South line of a 12' Water Easement as recorded as 84-378448 of Official Records of Maricopa County;

thence North 89 degrees 15 minutes 21 seconds East along said South line a distance of 12.00 feet to the East line of said parcel;

thence South 00 degrees 27 minutes 55 seconds East along said East line a distance of 94.99 feet to the POINT OF BEGINNING;

Said exceptions being conveyed to the City of Chandler by Order of Immediate Possession recorded May 28, 2002 as 2002-542676 of Official Records.

PARCEL NO. 3:

A non-exclusive easement for ingress, egress and parking and rights incident thereto, as created in instrument recorded as 84-204173, of Official Records of Maricopa County, Arizona.