

#2

NOV - 5 2007

ORDINANCE NO. 3970

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 PLANNED AREA DEVELOPMENT (PAD) AMENDED (DVR07-0025 WARNER COMMERCE PARK) 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 property is hereby rezoned from Planned Area Development (PAD) to Planned Area Development (PAD) Amended to expand the list of permitted uses within the business park zoning district to include ancillary recreational, instructional and/or training uses, subject to the following conditions:

1. Development shall be in substantial conformance with all exhibits and representations kept on file in the City of Chandler Current Planning Division, in file number DVR07-0025 WARNER COMMERCE PARK, except as modified by condition herein.

2. Compliance with original stipulations adopted by the City Council as Ordinance No. 3653 in case DVR04-0036 WARNER COMMERCE PARK, except as modified by condition herein.
3. Any building area utilized for training, classes and/or clinics shall be considered part of the maximum allowable area for office/showroom uses outlined as follows; Buildings 1-3 are 55% max office/showroom, buildings 4-6 are 25% max office/showroom, and buildings 7-8 are max 30% office /showroom.
4. Future property owners and potential sub-lease tenants shall comply with the PAD zoning land-use restrictions while maintaining the square-footage limitations as identified in Condition 3.

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. 3970 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

PUBLISHED:

ORDINANCE NO. 3970

Attachment 'A'

**WARNER COMMERCE PARK
LEGAL DESCRIPTIONS**

September 11, 2007
Job No. 04100
Page 1 of 1

PARCEL NO. 1

UNITS 101, 102, 103 AND 104, BUILDING 1 OF WARNER COMMERCE PARK CONDOMINIUMS ACCORDING TO THE CONDOMINIUM PLAT RECORDED IN BOOK 827 OF MAPS, PAGE 15 RECORDS OF MARICOPA COUNTY, ARIZONA;
TOGETHER WITH AN UNDIVIDED INTEREST IN THE COMMON ELEMENTS AS SET FORTH IN THE CONDOMINIUM DECLARATION THERETO.

PARCEL NO. 2

UNITS 101, 102 AND 103, BUILDING 2 OF WARNER COMMERCE PARK CONDOMINIUMS ACCORDING TO THE CONDOMINIUM PLAT RECORDED IN BOOK 827 OF MAPS, PAGE 15 RECORDS OF MARICOPA COUNTY, ARIZONA;
TOGETHER WITH AN UNDIVIDED INTEREST IN THE COMMON ELEMENTS AS SET FORTH IN THE CONDOMINIUM DECLARATION THERETO.

PARCEL NO. 3

UNITS 101 AND 102, BUILDING 3 OF THE 1ST AMENDMENT TO THE CONDOMINIUM PLAT OF WARNER COMMERCE PARK CONDOMINIUMS AS RECORDED IN BOOK 901 OF MAPS, PAGE 42 RECORDS OF MARICOPA COUNTY, ARIZONA;
TOGETHER WITH AN UNDIVIDED INTEREST IN THE COMMON ELEMENTS AS SET FORTH IN THE CONDOMINIUM DECLARATION THERETO.



ORDINANCE NO. 3970

Attachment 'A'



June 18, 2007
Job No. 04100
Page 1 of 1

**WARNER COMMERCE PARK PHASE 2
LEGAL DESCRIPTION**

PARCEL NO. 1

A PORTION OF TRACT "A" OF THE FINAL PLAT FOR WARNER COMMERCE PARK AS RECORDED IN BOOK 784 OF MAPS, PAGE 3 RECORDS OF MARICOPA COUNTY, ARIZONA LOCATED IN THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 1 SOUTH, RANGE 5 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID TRACT "A";

THENCE SOUTH 89 DEGREES 45 MINUTES 53 SECONDS EAST ALONG THE NORTH PROPERTY LINE OF SAID TRACT "A" ALSO BEING THE SOUTH RIGHT-OF-WAY LINE OF WARNER ROAD ACCORDING TO SAID FINAL PLAT FOR WARNER COMMERCE PARK, A DISTANCE OF 36.75 FEET;

THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 6.00 FEET;

THENCE SOUTH 89 DEGREES 45 MINUTES 53 SECONDS EAST, A DISTANCE OF 289.27 FEET;

THENCE SOUTH 00 DEGREES 14 MINUTES 07 SECONDS EAST LEAVING SAID NORTH LINE OF TRACT "A" AND SOUTH RIGHT-OF-WAY LINE OF WARNER ROAD, A DISTANCE OF 517.85 FEET TO A POINT ON THE SOUTH LINE OF SAID TRACT "A";

THENCE NORTH 89 DEGREES 41 MINUTES 41 SECONDS WEST ALONG SAID SOUTH LINE OF TRACT "A", A DISTANCE OF 266.00 FEET TO THE SOUTHWEST CORNER OF SAID TRACT "A";

THENCE NORTH 00 DEGREES 14 MINUTES 07 SECONDS EAST ALONG THE WEST LINE OF SAID TRACT "A", A DISTANCE OF 266.84 FEET;

THENCE NORTH 89 DEGREES 45 MINUTES 53 SECONDS WEST, A DISTANCE OF 41.00 FEET;

THENCE NORTH 00 DEGREES 14 MINUTES 07 SECONDS EAST, A DISTANCE OF 145.68 FEET;

THENCE NORTH 89 DEGREES 45 MINUTES 53 SECONDS WEST, A DISTANCE OF 19.00 FEET;

THENCE NORTH 00 DEGREES 14 MINUTES 07 SECONDS EAST, A DISTANCE OF 99.00 FEET TO SAID NORTHWEST CORNER OF TRACT "A" AND THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED.

SAID PARCEL CONTAINS 149,757 SQUARE FEET OR 3.438 ACRES

PARCEL NO. 2

A PORTION OF TRACT "A" OF THE FINAL PLAT FOR WARNER COMMERCE PARK AS RECORDED IN RECORDED IN BOOK 784 OF MAPS, PAGE 3 RECORDS OF MARICOPA COUNTY, ARIZONA LOCATED IN THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 1 SOUTH, RANGE 5 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID TRACT "A", ALSO BEING THE SOUTH RIGHT-OF-WAY LINE OF WARNER ROAD ACCORDING TO SAID FINAL PLAT FOR WARNER COMMERCE PARK AND THE WEST RIGHT-OF-WAY LINE OF A SOUTHERN PACIFIC RAILROAD EASEMENT

ORDINANCE NO. 3970

; Attachment 'A'

PER DEED BOOK 101, PAGE 256 RECORDS OF MARICOPA COUNTY AND A POINT OF CURVE OF A NON TANGENT CURVE TO THE RIGHT, OF WHICH THE RADIUS POINT LIES NORTH 87 DEGREES 02 MINUTES 51 SECONDS WEST, A RADIAL DISTANCE OF 1,784.00 FEET;

THENCE SOUTHERLY ALONG SAID WEST RIGHT-OF-WAY LINE OF SOUTHERN PACIFIC RAILROAD EASEMENT AND ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 17 DEGREES 22 MINUTES 01 SECONDS, A DISTANCE OF 530.74 FEET TO THE SOUTHEAST CORNER OF SAID TRACT "A";

THENCE NORTH 89 DEGREES 41 MINUTES 41 SECONDS WEST ALONG THE SOUTH LINE OF SAID TRACT "A", A DISTANCE OF 167.99 FEET;

THENCE NORTH 00 DEGREES 14 MINUTES 07 SECONDS EAST LEAVING SAID SOUTH LINE OF TRACT "A", A DISTANCE OF 517.85 FEET TO A POINT ON THE NORTH LINE OF SAID TRACT "A" AND SAID SOUTH RIGHT-OF-WAY LINE OF WARNER ROAD;

THENCE NORTH 89 DEGREES 45 MINUTES 53 SECONDS EAST ALONG SAID NORTH PROPERTY LINE OF TRACT "A" AND SAID SOUTH RIGHT-OF-WAY LINE OF WARNER ROAD, A DISTANCE OF 273.96' TO SAID NORTHEAST CORNER OF TRACT "A" AND THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED.

SAID PARCEL CONTAINS 121,413 SQUARE FEET OR 2.787 ACRES

