

#6

DEC 10 2007



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

**MEMORANDUM**                      **Planning and Development – CC Memo No. 07-286**

**DATE:**            NOVEMBER 26, 2007

**TO:**                MAYOR AND CITY COUNCIL

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

**FROM:**            ERIK SWANSON, CITY PLANNER 

**SUBJECT:**        DVR07-0032/PPT07-0034 GALILEO PIAZZA  
                         Introduction and Tentative Adoption of Ordinance No. 3995

**Request:**            Rezoning, Preliminary Development Plan (PDP), and Preliminary Plat (PPT) approval for a 34.6 acre single-family residential subdivision

**Location:**            Southwest corner of 116<sup>th</sup> Street and Riggs Roads

**Project Info:**        Approximate 34.6-acre site  
                         38 custom single-family lots

**Applicant:**            Brennan Ray, Burch & Cracchiolo, P.A.

**RECOMMENDATION**

The request is for rezoning from Agricultural District (AG-1) to Planned Area Development (PAD), along with Preliminary Development Plan (PDP), and Preliminary Plat (PPT) approval for a 34.6-acre single-family residential subdivision. Planning Commission and Staff, upon finding consistency with the General Plan, Southeast Chandler Area Plan, and PAD zoning recommend approval with conditions.

**BACKGROUND**

The subject site is located at the southwest corner of 116<sup>TH</sup> Street and Riggs Road. The subject site is triangular in shape with the base of the site fronting Riggs Road, and the length of the site along the western boundary. North, across Riggs Road is the Bear Creek Municipal Golf

Course. The Consolidated Canal abuts the eastern and southern property lines. East of the Consolidated Canal is the Lagos Vistoso single-family residential neighborhood, the Santan Vista single-family residential neighborhood located in the county, and an automotive repair shop located at the northeast portion of the site, zoned in the county. South of the subject site, and beyond the Consolidated Canal is the Santan Vista single-family residential neighborhood. West of the subject site is the Southern Pacific Railroad. Beyond the railroad tracks is PAD zoned property for industrial uses, Planned Industrial (I-1), and Industrial zoned property in the County. Located at the northwest corner of the site is a Salt River Project substation.

Based on the General Plan the subject site is located within the Southeast Chandler Area Plan (SECAP), and designated as supporting Traditional Suburban Character type neighborhoods. The SECAP allows for residential density to be 2.5 dwelling units per acre, and provides provision for up to 3.5 dwelling units per acre, based upon amenities provided to the subdivision. The proposed subdivision provides an overall density of 1.05 dwelling units per acre.

In addition to the SECAP, there are the Residential Development Standards that identify the requirements residential subdivision developments must comply with. The Residential Development Standards indicate that if all lots within a subdivision are larger than 10,000 square feet, the Residential Development Standards do not apply. Since all of the lots are larger than 10,000 square feet, with an average lot size of 16,500 square feet, the development is not required to meet any of the Residential Development Standards. Although not required to meet any of the Residential Development Standards, Galileo does meet some of the standards by providing a sense of neighborhood arrival, a curvilinear street system, cul-de-sacs with diversity features, wider side yards, vehicular access to rear yards, and landscaped open spaces, along with other standards.

Due to the location, the subject site provides one of the final portions for The Paseo Master Plan. The Paseo Master Plan was adopted by City Council in 1998, and serves as a guiding document for development along the Consolidated Canal. The intent of the The Paseo Master Plan was to provide residents of Chandler a usable trail system linking community parks and nearby neighborhoods from southern Chandler. As part of The Paseo there is to be a 15-foot clearance zone on each side of the canal. In addition to the 15-foot clearance zone, builders provide a minimum ten-foot easement for the canal. The developer is providing a 15-foot easement.

Along the Consolidated Canal the development will provide a mix of fencing (tab 10 in the development booklet). Along the southern portion of the development a six-foot vine trellis view fence will be provided. The view fence will terminate into a solid six-foot masonry theme wall, which will then become an eight-foot privacy wall that will provide privacy for lots 21 thru 24. From lots 25 to 34 a five-foot solid wall with a three-foot view fence on top will be provided. Lots 34 and 35 will have an eight-foot theme wall along the Consolidated Canal (tab 11 in the development booklet).

Galileo is an Italian themed community. The subdivision entry will provide a 12-foot tall Italian themed wall that will include Roman arches, stone veneer wainscot, and a balustrade separating the entry and exit gates. The entry and exit from the subdivision will be through two 20-foot

wide arched wooden gates. In addition, the entry will have an astronomy sculpture, and use olive trees to highlight the entry. Upon entering the subdivision there will be a fountain located within a roundabout with a pedestrian area that opens up to a large recreational area. Located at the end of the recreational area is a large piazza area for the residents. The piazza will be highlighted with a large clock tower, ramada area, multiple roman style sculptures, a terraced water feature with fountain, as well as a tot lot area located on the southern end. In addition to the entry recreational area additional open space is provided along the western and southern portion of the subdivision. The additional open space area is provided to alleviate Maricopa Flood Control issues.

Circulation throughout the site is provided by two drives that branch off of the roundabout to merge into a main boulevard drive at the end of the central recreation area. The boulevard terminates into a cul-de-sac. Rather than providing a circulation pattern that connects, there will be a number of drives that terminate into cul-de-sacs. Landscape islands will be located in the center of each cul-de-sac.

The development is proposing a total of 38 lots. The lots will range in size from 16,422 square feet to 32,539 square feet. Since the proposed subdivision is a custom home subdivision, housing product is not being provided. While there is no housing product provided, there are requirements that the developer has put in place regarding the homes. The homes shall be limited to single story, have a minimum of 2,800 square feet of livable area, provide a front setback of 25 feet, a rear setback of 30 feet, and side setbacks of 10 feet.

Construction is anticipated to start in the Summer of next year.

### **DISCUSSION**

Staff supports the request, finding it to represent a quality custom home subdivision. In addition, Staff supports the provided Architectural Standards, noting that custom homes provide a good mix of architectural elevation styles, varied lot layouts, and unique architectural elements with each home.

Due to the location and nature of this application, this proposal is requesting that the Annexation, City Initial Zoning, Rezoning, and Preliminary Development Plan occur consecutively on the same agenda. Due to the complexities of this development the developer has entered into a Development Agreement with the City.

### **PUBLIC / NEIGHBORHOOD NOTIFICATION**

This request was noticed in accordance with the requirements of the Chandler Zoning Code.

- An orange 4' X 8' public hearing sign was posted on the property.
- A neighborhood meeting was held on Wednesday September 26, 2007 at the Ira A. Fulton Elementary School. No neighbors were in attendance.

As of the writing of this memo, Staff has received no phone calls or letters of opposition to the request.

**PLANNING COMMISSION VOTE REPORT**

Motion to Approve:

In Favor: 7    Opposed: 0

Planning Commission had some questions regarding site remediation due to the prior user of the site. It was explained that there were two dry wells that previously contributed to local site contamination. It was then explained that the two dry wells had gone through extensive remediation, and that both a Phase I and Phase II Environmental Assessment Report had been provided. Both assessments reported that the sites are no longer contaminated. Even though contamination is no longer a concern, on page four of the Preliminary Plat there is a note that the area where the dry wells were located is labeled as a “Green Zone No Buildings.”

**RECOMMENDED ACTION**

Planning Commission and Staff, upon finding consistency with the General Plan and the SECAP, recommend approval of the Rezoning, PDP, and Preliminary Plat, subject to the following conditions.

1. 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.
2. Development shall be in substantial conformance with Exhibit F, Development Booklet, entitled “GALILEO”, kept on file in the City of Chandler Planning Services Division, in File No. DVR07-0032, except as modified by condition herein.
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. 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.
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 and the Director of Public Works for arterial street median landscaping.
11. The development's housing product will be custom homes built by individual builders.
12. Preliminary Development Plan approval as granted herein shall apply to the subdivision layout only.
13. 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 Galileo Piazza development shall use treated effluent to maintain open space, common areas, and landscape tracts.

14. A minimum of two trees at a minimum of 2-inch caliper each shall be planted in all front yards.
15. The applicant shall work with Staff to enhance the perimeter fence wall along the railroad tracks by incorporating a decorative wall design such as, but not limited to color variations, decorative cap at columns and/or top of wall, and any other horizontal or vertical plane changes.
16. 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 existing Industrial zoned property. The "Public Subdivision Report", "Purchase Contracts", and CC&R's, shall include a disclosure statement outlining that the site is adjacent to or nearby existing Industrial zoned property, and the disclosure shall state that such uses are 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.

Planning Commission and Staff recommend approval of the Preliminary Plat subject to the following condition.

1. Approval by the City Engineer and Director of Planning and Development with regard to the details of all submittals required by code or condition.

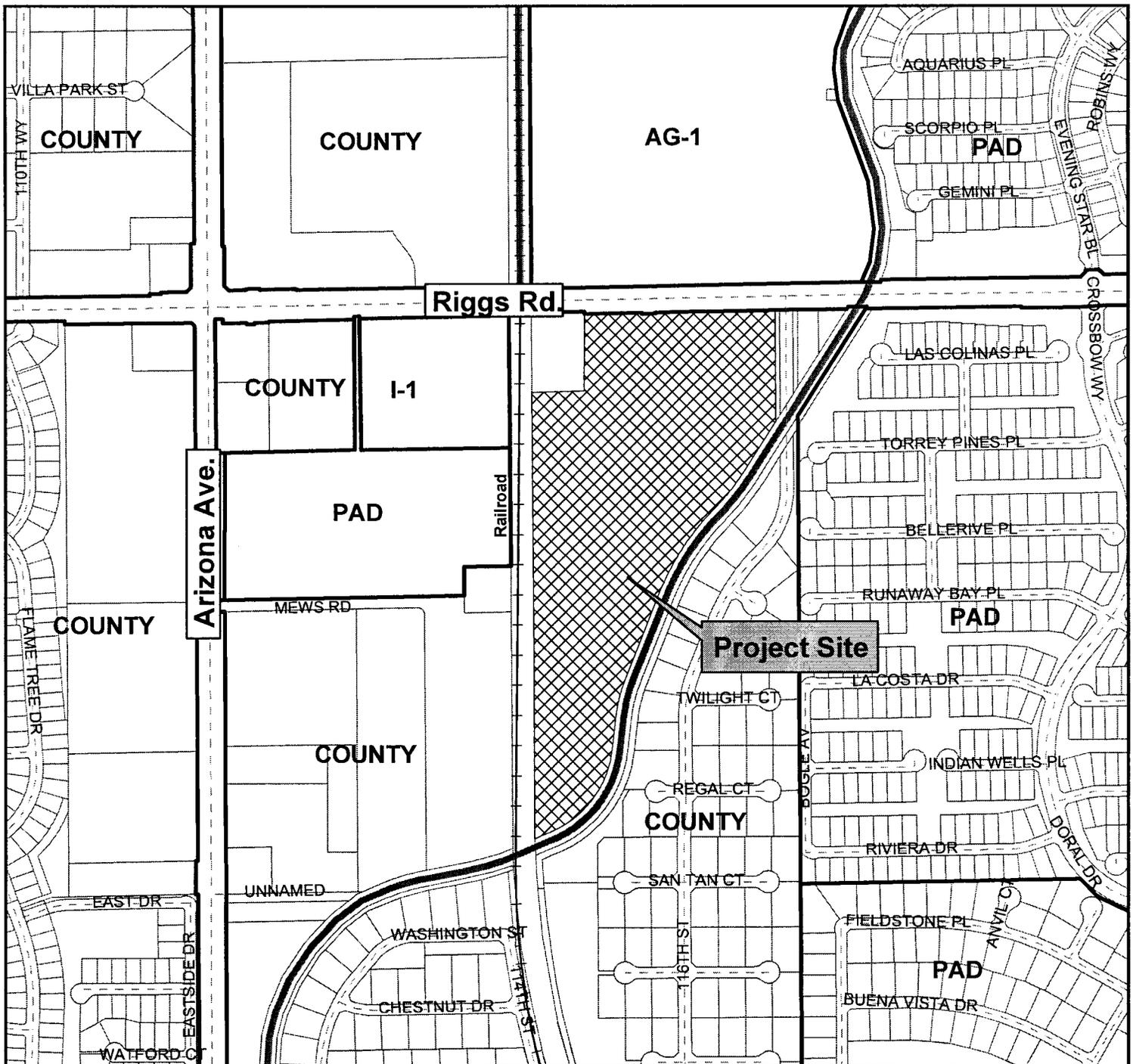
#### **PROPOSED MOTION**

Move to introduce and tentatively adopt Ordinance No. 3995 approving DVR07-0032/PPT07-0034 GALILEO PIAZZA, Rezoning, and PDP for a 34.6-acre single-family residential subdivision, as recommended by Planning Commission and Staff.

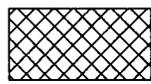
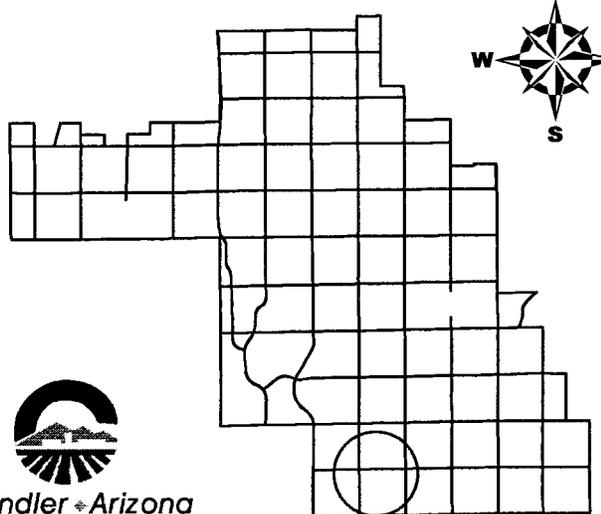
Move to approve the Preliminary Plat PPT07-0034 GALILEO PIAZZA, as recommended by Planning Commission and Staff.

#### **Attachments**

1. Vicinity Map
2. Site Plan
3. Landscape Plan
4. Wall Elevations
5. Narrative
6. Preliminary Plat
7. Ordinance No. 3995
8. Exhibit 'H', Development Booklet



## Vicinity Map

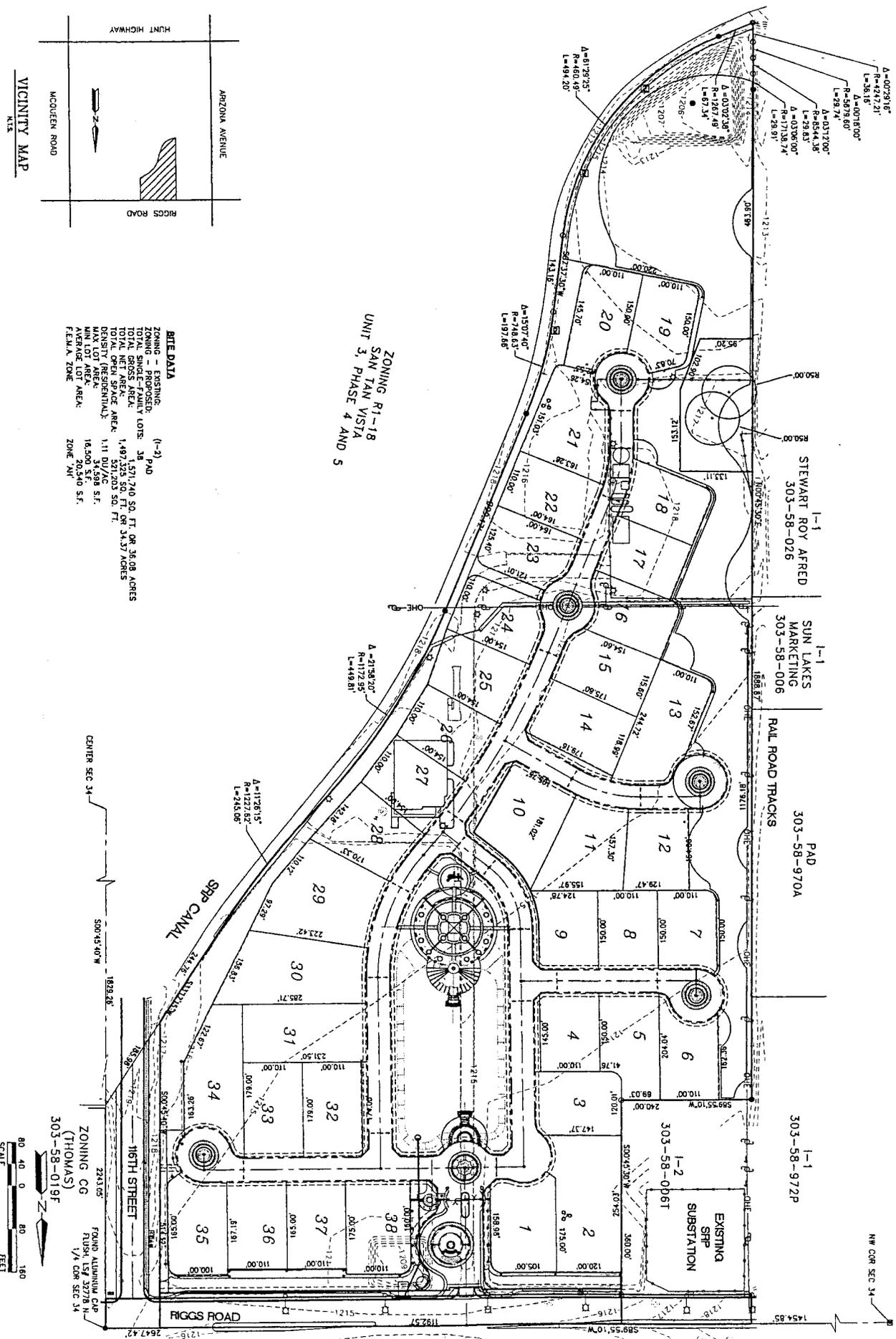


DVR07-0032

Galileo Piazza



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**ZONING R1-18  
SAN TAN VISTA  
UNIT 3, PHASE 4 AND 5**

**ROUTE DATA**

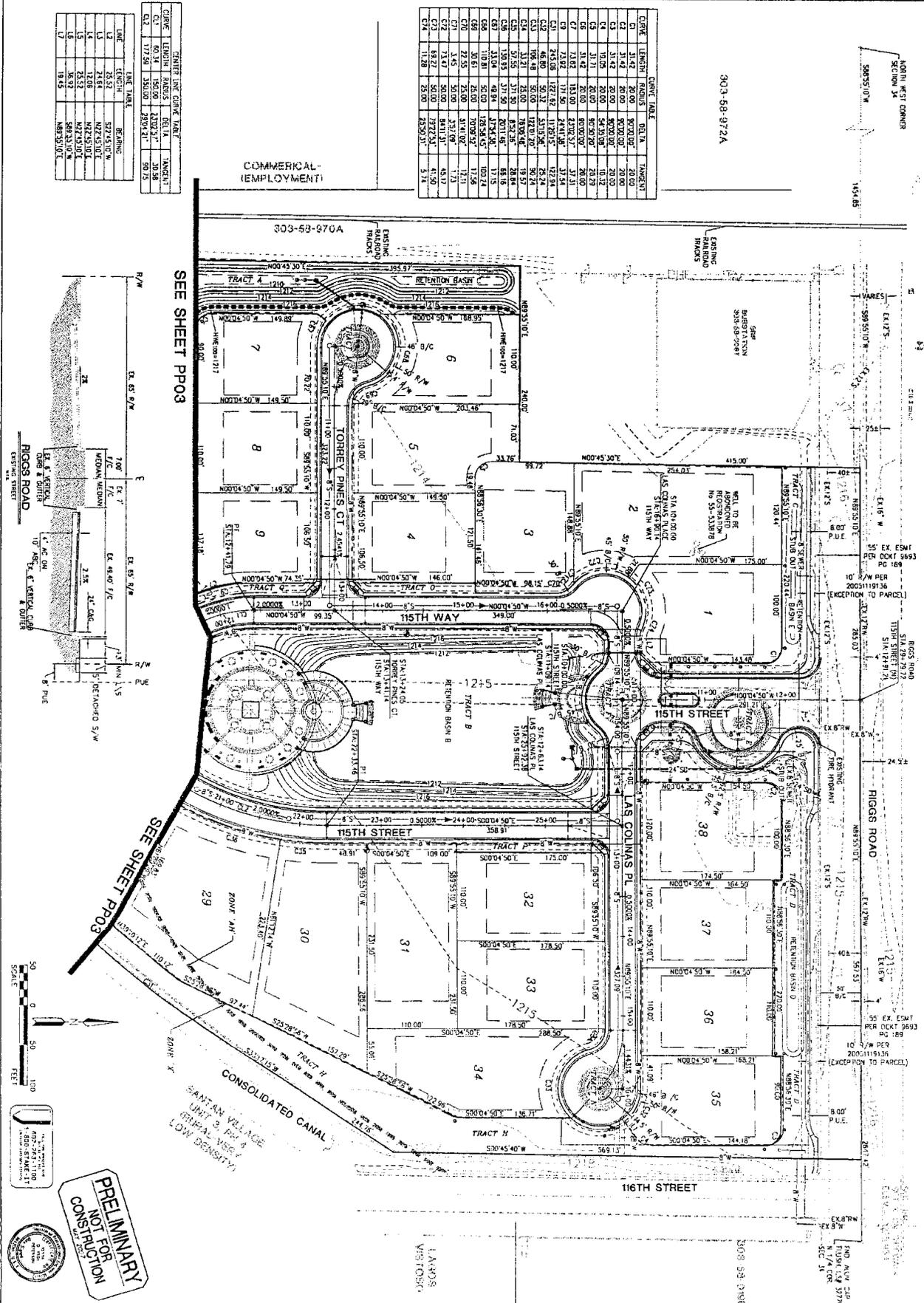
ZONING - EXISTING: (1-2) PAD  
 ZONING - PROPOSED: PAD  
 TOTAL SINGLE-FAMILY LOTS: 38  
 TOTAL GROSS AREA: 1,571,240 SQ. FT. OR 36.08 ACRES  
 TOTAL NET AREA: 1,497,523.75 SQ. FT. OR 34.37 ACRES  
 TOTAL OPEN SPACE AREA: 571,203 SQ. FT.  
 DENSITY (RESIDENTIAL): 1.11 DU/AC  
 MAX LOT AREA: 34,598 S.F.  
 AVERAGE LOT AREA: 20,540 S.F.  
 F.E.M.A. ZONE: ZONE 'M'

ZONING CG  
(THOMAS)  
303-58-019F

FOUND ALUMINUM COP  
RUSH T&E 32778 N  
1/4 COR SEC 34

SCALE  
80 40 0 80 160  
FEET





LINE	LENGTH	BEARING
L1	21.62	S72°28'10"W
L2	21.62	S72°28'10"W
L3	12.68	N47°45'10"E
L4	23.52	N47°45'10"E
L5	23.52	N47°45'10"E
L6	28.52	S89°23'10"W
L7	18.45	S89°23'10"E

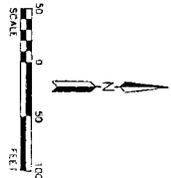
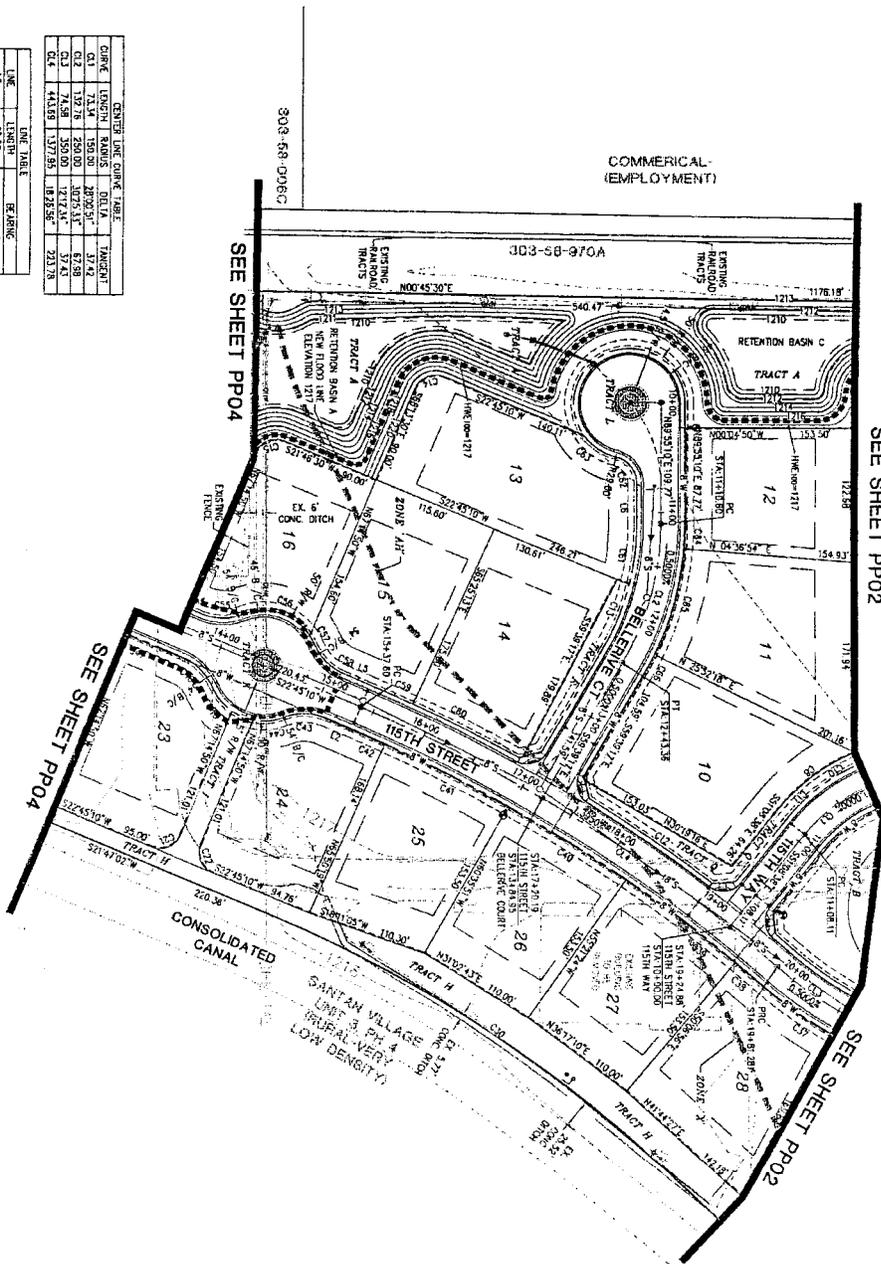
LINE	LENGTH	ANGLE	DELTA	WANGEN
C1	31.42	20.00	300.00	20.00
C2	31.42	20.00	300.00	20.00
C3	31.42	20.00	300.00	20.00
C4	31.42	20.00	300.00	20.00
C5	31.42	20.00	300.00	20.00
C6	31.42	20.00	300.00	20.00
C7	31.42	20.00	300.00	20.00
C8	31.42	20.00	300.00	20.00
C9	31.42	20.00	300.00	20.00
C10	31.42	20.00	300.00	20.00
C11	31.42	20.00	300.00	20.00
C12	31.42	20.00	300.00	20.00
C13	31.42	20.00	300.00	20.00
C14	31.42	20.00	300.00	20.00

LINE	LENGTH	BEARING
L1	21.62	S72°28'10"W
L2	21.62	S72°28'10"W
L3	12.68	N47°45'10"E
L4	23.52	N47°45'10"E
L5	23.52	N47°45'10"E
L6	28.52	S89°23'10"W
L7	18.45	S89°23'10"E

LINE	LENGTH	BEARING
L1	23.52	S127°45'10"W
L2	24.64	N27°45'10"E
L3	24.05	N27°45'10"E
L4	18.92	S28°53'10"W
L5	18.45	N89°55'10"E

CHIRK	LENGTH	RADIUS	DELTA	TANGENT
C1	73.34	150.00	28°00'30"	37.42
C2	139.78	250.00	10°25'31"	67.90
C3	74.58	250.00	12°27'34"	37.43
C4	44.88	157.85	18°55'56"	23.70



LINE	LENGTH	BEARING	AREA
C1	73.34	150.00	28°00'30"
C2	139.78	250.00	10°25'31"
C3	74.58	250.00	12°27'34"
C4	44.88	157.85	18°55'56"
L1	23.52	S127°45'10"W	
L2	24.64	N27°45'10"E	
L3	24.05	N27°45'10"E	
L4	18.92	S28°53'10"W	
L5	18.45	N89°55'10"E	

DWG. NO. **PP03**  
 SHT. 3 OF 4  
 C.C.C. LOG NO. PP107-0034

CMX PROJ: 7269  
 DESIGNED: CC  
 DATE: AUG 2007  
 DRAWN: DSB  
 SCALE: 1" = 50'  
 APPROVE: TH

**GALILEO**  
 ON RIGGS ROAD IN BETWEEN ARIZONA AVE AND MCQUEEN ROAD  
 CHANDLER, ARIZONA  
**PRELIMINARY PLAT**

**CHANDLER OFFICE**  
 3100 WEST RAY ROAD, SUITE 201  
 CHANDLER, ARIZONA 85226  
 PH (480) 648-1930  
 FAX (480) 648-1918  
 WWW.CMX.COM

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## GALILEO

### **I. INTRODUCTION**

Ward Real Estate Development L.L.C., ("Ward Development")<sup>1</sup> is developing approximately 34.3 acres at the southwest corner of Riggs Road and 116<sup>th</sup> Street (the "Site"), also known as Galileo. Galileo is proposed as a large lot (16,500 sq. ft. and larger), upscale, gated, single-family community. Ward Development is requesting Planned Area Development (PAD) Single-Family Residential, Preliminary Development Plan (PDP) for Subdivision Layout and Architectural Guidelines, and Preliminary Plat approval.

### **II. SITE, SURROUNDING AREA, AND EXISTING ZONING**

An Aerial with a Vicinity Map of the area is attached as Exhibit 1. The Site is bounded by Riggs Road on the north, the Southern Pacific Railroad tracks to the west, the Consolidated Canal on the south and east, and 116<sup>th</sup> Street on the east.

The Site is designated on the City of Chandler's (the "City") General Plan as Rural Residential and located within the Southeast Chandler Area Plan (SECAP). Rural Residential is very low density residential uses with an overall average density in the range of 0-2.5 dwelling units per acre (du/ac). SECAP identifies the Site as Traditional Suburban Character. Traditional Suburban Character is envisioned as residential developments with a density of 2.5 du/ac. Additionally the Site is zoned County Ind-3 and is in the process of being annexed into the City.

The north side of the Site is zoned AG-1 and is a municipal golf course. The western side of the railroad tracks is zoned I-1, I-2, and PAD. South of the Site is being developed as single-family homes (San Tan Vistas- ½ acre homesites) in the County and east of the Site is the community of Lagos Vistoso (zoned PAD Single-Family). On the east side of 116<sup>th</sup> Street is an automobile repair shop and golf cart repair shop that is in the County and zoned C-3. Attached as Exhibit 2 is the surrounding Zoning Exhibit.

The Site has some development constraints because of the Consolidated Canal and railroad tracks. The alignment of the Consolidated Canal causes the Site to taper to a point as one goes from north to south along the eastern property line, thus giving the Site a triangular shape. The Site's physical challenges have caused Ward Development to create a subdivision that provides ample open space and recreational opportunities for its residents, adequate buffering from the railroad tracks, and access for its residents to the Paseo Trail along the Consolidated Canal.

### **III. PROPOSED PAD AND PDP**

The Galileo proposed PAD is a unique large lot, custom home neighborhood that is compatible with the City's General Plan, SECAP, and the surrounding area. Attached as Exhibit 3 is a Community Entry Perspective. Galileo consists of 38 lots on 34.3 acres, a density of 1.05 du/ac. Attached as Exhibit 4 is a copy of the Site Plan. The lot sizes range from 16,500 sq. ft. to 34,598 sq. ft., giving the custom home subdivision buyer many lot size choices. In addition to the large lots, residents will be able to enjoy substantial amounts of open space, amenities, and unique features.

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<sup>1</sup> Ward Development has been building custom home communities in the Greater Phoenix area for 7 years.

### ***A. Landscaping***

The landscape theme for Galileo was designed to reflect the Italian Renaissance period. Attached as Exhibit 5 is the Landscape Master Plan. The plant material selected for this project further compliments this design theme with the use of date palms, olive trees, Italian cypress and grape vines. The overall landscaping concept for the community advocates the use of a planting scheme that will be carefully blended with the responsible use of turf. Landscape irrigation will be designed to utilize effluent water. All plant materials will adhere to or exceed the City of Chandler minimum requirements.

### ***B. Amenities and Open Space***

Upon entry to the subdivision, residents will be greeted with a tree-lined boulevard and central park area. This central piazza (plaza) was designed on the interior of the community as the center point for the community's residents. Attached as Exhibits 6 and 7 are the Community Piazza Perspective and the Piazza Design and Layout. Here, residents will be able to gather and interact with each other and their own families. A clock tower will be the primary focal point of the piazza which will also include a custom designed radial shade structure similar to one found in the early renaissance period. Attached as Exhibit 8 is the Community Architectural Accent Features showing an elevation of the piazza and clock tower. A symmetrically terraced water feature on the north side of the piazza will accentuate the piazza from the community's entry as well as provide a terraced stairway into the adjacent retention/turf area. This magnificent water feature and open space area will consist of boulders, trees, and lush landscaping. The central park area will also contain such amenities as a ramada equipped with picnic tables, a barbecue, tot lot, pedestrian seating, and a soccer field.

Another open space area is provided on the south side. See Exhibit 5. This open space area is conveniently located for those residents not living near the central park and those who want an additional green space area to enjoy. The southern open space area will consist of a large turf area for residents' use and enjoyment. In addition to the two open space areas, Galileo will have a pedestrian access between lots 23 and 24 to the Paseo Trail system along the Consolidated Canal where residents will be able to walk, run, or bike (see Exhibit 5).

Open space areas will be developed to enhance the quality of life and provide recreational activities for residents. The open space tracts will be landscaped with a combination of large turf area, trees, and lush planting beds in order to establish a "park-like" setting.

### ***C. Entry Monument and Theme Walls***

Residents and visitors to Galileo will be greeted with a spectacular entry feature off of Riggs Road. See Exhibits 3 and 8, and also attached as Exhibit 9 is the Gated Entry Design. This entry will be highlighted by a 12 foot gate wall with roman arches, date palms, wooden vehicular and pedestrian access gates, decorative wrought iron fencing, grape vines and an astronomy sculpture to emphasize Galileo's contributions to modern science. The perimeter walls will be vine-covered to further add to the unique character of Galileo. Attached as Exhibits 10 and 11 are the Theme Wall & Grape Vine Trellis/View Fence and Community Theme Wall exhibits.

Specific structures, hardscape elements and plant materials were all carefully selected to emulate the Italian Renaissance period. Hardscape elements such as theme walls, roman style

fountains, statues, sculptures, urn's, tumbled pavers, steps and retaining walls were all incorporated into the community's design to compliment the theme of the renaissance period.

**D. Circulation**

As has been mentioned, Galileo will be a gated community with the main entrance off of Riggs Road. Upon passing through the gate, residents will be directed around the central park area by means of a turn-about that will direct the incoming and outgoing traffic. Within the subdivision, lots are situated on streets that end with a cul-de-sac that provide natural calming measures and create a quite, safer street system.

The City's Fire Department has agreed that a secondary access is not necessary if all the homes will have sprinkler systems. All homes will have a sprinkler system.

**E. Development Standards**

Ward Development is proposing the following development standards for all lots within Galileo:

Regulation	Development Standard
Height	30 feet (all single story)
Front Yard Setback	25 feet
Rear Yard Setback	30 feet
Side Yard Setback	10 feet
Street-side Yard Setback	10 feet with adjacent tract
Minimum Lot Area	16,500
Minimum Lot Width	110
Maximum Lot Coverage	40%

**F. Architectural Guidelines**

Galileo is being developed as a custom home subdivision so there are no floor plans and elevations for the project. Galileo does, however, have architectural guidelines as follows:

1. All dwellings shall have a minimum ground floor livable area of not less than 2,800 square feet, with or without a basement. Basement area does not count toward the minimum square footage requirements. All square footage calculations are to be exclusive of accessory buildings, breezeways, screened porches, terraces, patios, and garages. Guest houses are permitted provided they are less than 1,000 sq. ft., have no kitchen, and are attached to the principal structure.
2. Asphalt shingle or wood product roofs are prohibited.
3. Exterior surfaces should generally be of materials that harmonize with the overall architecture. Siding is not allowed.
4. The same elevation shall not be built side-by-side or across the street.

**G. Subdivision Diversity Guidelines**

Since all of the lots within Galileo are greater than 10,000 sq. ft., the development does not need to comply with the City's Residential Development Standards. Nonetheless, there are many elements of the Residential Development Standards that are being met. Residents are provided with a sense of neighborhood arrival through the central park area and water feature. Taken together, the project name (Galileo) and the water feature create a distinct project theme. The wide lot widths provide future homeowners the option of designing a house that has vehicular access to the rear yard. The retention areas within the open space are not only irregularly shaped, but also are improved to allow use and access to residents. A 30' wide landscaped parkway is provided along Riggs Road and the fencing will either be staggered or visual breaks provided to relieve the linear characteristics that are oftentimes associated with arterial street fencing. A curvilinear street system is being provided by means of the central area park and the Site's irregular shape. Most of the cul-de-sacs provide residents with access to the open space tracts and areas and also create little "communities" within the overall Galileo community.

**IV. MISCELLANEOUS**

**A. Grading and Drainage**

The Preliminary Drainage Map is attached as Exhibit 12.

Portions of the property are currently within a FEMA flood plain. Current studies underway by the Maricopa County Flood Control District will significantly reduce the amount of the property covered by a flood plain. Additionally, the FEMA flood plain will be revised to take all residential lots out of a designated flood plain. All site storm water will be routed to retention basins within the central park area and along the western side of the project, creating a buffer to the existing railroad. Storm water retention will be provided according to City of Chandler criteria.

**B. Utilities**

Water, Reclaimed Water and Sewer: Provided by the City of Chandler, connect to existing main lines along the Site's frontage to Riggs Road.

Electricity: Provided by Salt River Project, connect to existing facilities along the Site's frontage to Riggs Road.

Gas: Provided by Southwest Gas

Telephone: Provided by Qwest

Cable TV: Provided by Cox Communications

**C. Deviations**

Because of the Site's unique shape, the length of the cul-de-sac in the southern portion of the project exceeds the standard maximum length requirement set forth in Table 3 of the City of Chandler Technical Design Manuel #4, Street Design and Access Control. As a result a deviation is requested from this requirement. A mid-block turnaround will be provided at the mid-way point of the cul-de-sac street and all homes will be equipped with a fire sprinkler system. See Exhibit 4, Site Plan.

**V. PRELIMINARY PLAT**

The Preliminary Plat is attached as Exhibit 13.

**VI. PROJECT TEAM**

Owner/Builder:

Ward Real Estate Development L.L.C.  
Attn: Scott Ward  
565 W. Chandler Blvd., Ste. 210  
Chandler, AZ 85225  
Phone: (480) 899-4330  
Fax: (480) 899-9903

Engineer:

CMX, Inc.  
Attn: Troy Peterson  
3100 West Ray Road, Suite 201  
Chandler, Arizona 85226  
Phone: (480) 648-1900  
Fax: (480) 648-1918

Landscape Architect:

Graythorn Design Studio  
Attn: Christopher Baker  
1881 E. Harrison Street  
Chandler, Arizona 85225  
Phone: (480) 782-1110  
Fax: (480) 782-1015

Zoning:

Burch & Cracchiolo, P.A.  
Attn: Ed Bull/Brennan Ray  
702 E. Osborn Rd., Suite 200  
Phoenix, Arizona 85014  
Phone: (602) 234-9913  
Fax: (602) 234-0341

**VII. CONCLUSION**

Galileo is a unique large lot neighborhood that will provide homeowners with an alternate housing choice in southeast Chandler. This upscale, gated community makes good use of this challenging Site and is compatible with the surrounding area. We request your approval.

**Ward Real Estate Development L.L.C.**

**ORDINANCE NO. 3995**

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM AGRICULTURAL DISTRICT (AG-1) TO PLANNED AREA DEVELOPMENT (PAD) (DVR07-0032 GALILEO PIAZZA) 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 AG-1 to PAD, subject to the following conditions:

1. 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.

2. Development shall be in substantial conformance with Exhibit F, Development Booklet, entitled "GALILEO", kept on file in the City of Chandler Planning Services Division, in File No. DVR07-0032, except as modified by condition herein.
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. 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.
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 and the Director of Public Works for arterial street median landscaping.
11. The development's housing product will be custom homes built by individual builders.

12. Preliminary Development Plan approval as granted herein shall apply to the subdivision layout only.
13. 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 Galileo Piazza development shall use treated effluent to maintain open space, common areas, and landscape tracts.

14. A minimum of two trees at a minimum of 2-inch caliper each shall be planted in all front yards.
15. The applicant shall work with Staff to enhance the perimeter fence wall along the railroad tracks by incorporating a decorative wall design such as, but not limited to color variations, decorative cap at columns and/or top of wall, and any other horizontal or vertical plane changes.
16. 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 existing Industrial

zoned property. The "Public Subdivision Report", "Purchase Contracts", and CC&R's, shall include a disclosure statement outlining that the site is adjacent to or nearby existing Industrial zoned property, and the disclosure shall state that such uses are 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.

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. 3995 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 *GAB*

PUBLISHED:

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**  
**GALILEO PIAZZA**  
**ANNEXATION BOUNDARY**

That portion of the Northwest quarter of Section 34, Township 2 South, Range 5 East of the Gila and Salt River Meridian, Maricopa County, Arizona, described as follows:

COMMENCING at a aluminum cap found and accepted as the North quarter corner of said Section 34 from which a brass cap in hand hole found and accepted as the Northwest corner of said section bears South 89 degrees 55 minutes 10 seconds West a distance of 2,647.42 feet;

Thence along the north line of said Northwest quarter, South 89 degrees 55 minutes 10 seconds West a distance of 100.01 feet to a point on the northerly projection of the west line of Tract M of "Santan Vista Unit 3, Phase 4 and 5" a subdivision plat recorded in Book 690 of Maps, page 16, Maricopa County Records, said point being the **POINT OF BEGINNING**;

Thence departing said north line and along said west line, South 00 degrees 45 minutes 40 seconds West a distance of 569.13 feet to the westerly right-of-way of the Consolidated Canal as shown on the Plat of Survey recorded in Book 181 of Maps, page 9, Maricopa County records;

Thence along said westerly right-of-way of the Consolidated Canal the following eight (8) courses;

(1) South 33 degrees 17 minutes 15 seconds West a distance of 244.76 feet to the beginning of a tangent curve concave northwesterly and having a radius of 1,227.62 feet;

(2) Southwesterly along said curve through a central angle of 11 degrees 26 minutes 15 seconds an arc length of 245.06 feet to the beginning of a tangent reverse curve concave southeasterly and having a radius of 1,172.95 feet;

(3) Southwesterly along said curve through a central angle of 21 degrees 58 minutes 20 seconds an arc length of 449.81 feet;

(4) South 22 degrees 45 minutes 10 seconds West a distance of 399.47 feet to the beginning of a tangent curve concave southeasterly and having a radius of 748.63 feet;

(5) Southwesterly along said curve through a central angle of 15 degrees 07 minutes 40 seconds an arc length of 197.66 feet;

(6) South 07 degrees 37 minutes 30 seconds West a distance of 143.16 feet to the beginning of a tangent curve concave northwesterly and having a radius of 460.49 feet;

(7) Southwesterly along said curve through a central angle of 61 degrees 29 minutes 25 seconds an arc length of 494.20 feet to the beginning of a tangent reverse curve concave southeasterly and having a radius of 1,267.49 feet;

(8) Southwesterly along said curve through a central angle of 03 degrees 02 minutes 38 seconds an arc length of 67.34 feet to a point on the easterly right-of-way of the Southern Pacific Railroad, said point also marking the beginning of a non-tangent curve concave easterly, the center of which bears North 89 degrees 40 minutes 13 seconds East a distance of 4,247.21 feet;

Thence along said easterly right-of-way the following five (5) courses;

(1) Northerly along said curve through a central angle of 00 degrees 29 minutes 16 seconds an arc length of 36.16 feet to the beginning of a tangent compound curve concave easterly and having a radius of 5,679.60 feet;

(2) Northerly along said curve through a central angle of 00 degrees 18 minutes 00 seconds an arc length of 29.74 feet to the beginning of a tangent compound curve concave easterly and having a radius of 8,544.38 feet;

(3) Northerly along said curve through a central angle of 00 degrees 12 minutes 00 seconds an arc length of 29.83 feet to the beginning of a tangent compound curve concave easterly and having a radius of 17,138.74 feet;

(4) Northerly along said curve through a central angle of 00 degrees 06 minutes 00 seconds an arc length of 29.91 feet;

(5) North 00 degrees 45 minutes 30 seconds East a distance of 1,888.87 feet to a point lying 415.00 feet south of said north line of the Northwest quarter;

Thence departing said right-of-way, parallel with and 415.00 feet south of said north line, North 89 degrees 55 minutes 10 seconds East a distance of 240.00 feet;

Thence North 00 degrees 45 minutes 30 seconds East a distance of 415.00 feet to said north line of the Northwest quarter.

Thence along said north line, North 89 degrees 55 minutes 10 seconds East a distance of 852.56 feet to the **POINT OF BEGINNING**.

The above-described parcel contains a computed area of 1,553,040 Sq. Ft. (35.6531 acres) more or less and is subject to any easements, restrictions, or rights of way of record or otherwise.

The description hereon is not based on official results of survey by CMX L.L.C. and said description was prepared without the benefit of an updated title report.

Prepared by: CMX L.L.C.  
3100 W. Ray Road  
Suite 201  
Chandler, Arizona 85226  
Project No. 7469  
March 5, 2007