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FEB 14 2008

ORDINANCE NO. 4018

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM PLANNED INDUSTRIAL (I-1) TO PLANNED AREA DEVELOPMETN (PAD) (DVR07-0052 CHANDLER 101 BUSINESS CENTER) 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 I-1 to PAD, subject to the following conditions:

INSERT CONDITIONS HERE:

1. Development shall be in substantial conformance with Exhibit E, Development Booklet, entitled "CHANDLER 101 BUSINESS CENTER PHASE II", kept on file in the City of Chandler Planning Services Division, in File No. DVR07-0052, except as modified by condition herein.

2. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
3. The site shall be maintained in a clean and orderly manner.
4. 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.
5. 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.
6. All raceway signage shall be prohibited within the development.
7. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
8. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
9. The applicant shall provide shade trees at the pedestrian areas located at the building entrances.
10. The applicant shall work with Staff to provide façade relief through the use of recessed windows and shadow lines.

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 _____, 2008.

ATTEST:

CITY CLERK

MAYOR

PASSED AND ADOPTED by the City Council this ____ day of _____,
2008.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 4018 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the ____ day of _____, 2008, and that a quorum was present thereat.

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY GAB

PUBLISHED:

EXHIBIT "A"
LEGAL DESCRIPTION
LOT 1
FRYE ROAD INDUSTRIAL PARK

Lot 1 of "Frye Road Industrial Park", according to the Final Plat thereof, recorded in Book 495 of Maps, Page 22, Records of Maricopa County, Arizona, being that portion of the Southwest quarter of Section 31, Township 1 South, Range 5 East of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at an aluminum cap, found and accepted as the West quarter corner of said section, from which a brass cap, found and accepted as the center of said section, bears South 89 degrees 50 minutes 19 seconds East a distance of 2584.68 feet;

Thence along the north line of said Southwest quarter, also being the monument line of Frye Road, South 89 degrees 50 minutes 19 seconds East a distance of 1676.92 feet;

Thence departing said north line, South 00 degrees 09 minutes 31 seconds West a distance of 50.00 feet to the southerly right-of-way of Frye Road and the northwest corner of said Lot 1 as shown on said Final Plat, said corner being the **POINT OF BEGINNING**;

Thence along said right-of-way, South 89 degrees 50 minutes 19 seconds East a distance of 847.86 feet;

Thence transitioning from said right-of-way to the westerly right-of-way of Ellis Street as shown on said Final Plat, South 44 degrees 53 minutes 38 seconds East a distance of 28.31 feet;

Thence along said westerly right-of-way, South 00 degrees 03 minutes 04 seconds West a distance of 822.71 feet;

Thence transitioning from said westerly right-of-way of Ellis Street to the northerly right-of-way of Fairview Street as shown on said Final Plat, South 45 degrees 10 minutes 28 seconds West a distance of 28.22 feet;

Thence along said northerly right-of-way, North 89 degrees 42 minutes 07 seconds West a distance of 648.53 feet to the beginning of a tangent curve, concave northeasterly and having a radius of 220.00 feet;

Thence continuing along said northerly right-of-way, northwesterly along said curve through a central angle of 89 degrees 43 minutes 41 seconds an arc length of 344.53 feet to the easterly right-of-way of Benson Lane, as shown on said Final Plat;

Thence along said easterly right-of-way, North 00 degrees 01 minutes 34 seconds East a distance of 621.64 feet;

Thence continuing along said easterly right-of-way, North 45 degrees 05 minutes 37 seconds East a distance of 28.25 feet to the **POINT OF BEGINNING**.

The above-described parcel contains a computed area of 753,992 Sq. Ft. (17.3093 acres) more or less and is subject to any easements, restrictions, or rights of way of record or otherwise.

The description shown hereon is not to be used to violate any subdivision regulation of the state, county and/or municipality or any other land division restrictions.

Prepared by: CMX L.L.C.
3100 W. Ray Road
Suite 201
Chandler, Arizona 85226
Project No. 7522.01
October 9, 2007



Greg G. Rugland