

#5  
MAY 14 2009

**ORDINANCE NO. 4151**

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 (DVR08-0023 MCCLINTOCK VILLAGE) 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 Planned Area Development (PAD) Amended, subject to the following conditions:

1. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
2. The developer shall be required to design and construct a traffic signal at the intersection of Chandler Boulevard and Juniper Drive.

3. 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.
4. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual # 4).
5. 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.
6. 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.
7. 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.
8. Development shall be in substantial conformance with Exhibit 'I', Development Booklet, entitled "MCCLINTOCK VILLAGE", kept on file in the City of Chandler Planning Services Division, in File No.DVR08-0023, except as modified by condition herein.
9. Landscaping shall be in compliance with current Commercial Design Standards.
10. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
11. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
12. The freestanding pads shall carry an architectural level of detail similar to front facades of the Major 'A', Shops 'A', and Shops 'B' buildings.

13. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
14. 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.
15. The monument sign's sign panels shall have an integrated or decorative cover panel until a tenant name is added to the sign.
16. Raceway signage shall be prohibited within the development.
17. The shade structures shall be maintained in a manner similar to that at the time of installation.
18. Date Palms shall flank the entry drive off of McClintock Drive as shown on the entry drive perspective found on page 35 of the development booklet.
19. In the event that the site layout for Pads 'A' and 'B' is modified, the developer shall work with Staff to incorporate additional parking appropriate for the potential uses.
20. The outdoor cart storage located on the south side of Major 'B' shall be screened by a masonry wall designed to match the remainder of the building

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 \_\_\_\_\_, 2009.

ATTEST:





**LEGAL DESCRIPTION  
NWC CHANDLER BOULEVARD AND  
MCCLINTOCK DRIVE  
CHANDLER, ARIZONA**

April 15, 2008  
Job No.2007-172  
Page 1 of 2

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 1 SOUTH, RANGE 4 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT A BRASS CAP IN HANDHOLE AT THE SOUTHEAST CORNER OF SAID SECTION 26;

THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, ALONG THE SOUTH MONUMENT LINE OF SAID SECTION 26, A DISTANCE OF 307.06 FEET;

THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, LEAVING SAID SOUTH MONUMENT LINE. A DISTANCE OF 65.00 FEET, TO A POINT ON THE NORTH RIGHT OF WAY OF CHANDLER BOULEVARD, SAID POINT BEING THE **POINT OF BEGINNING** OF THE **PARCEL** HEREIN DESCRIBED;

THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, ALONG SAID NORTH RIGHT OF WAY A DISTANCE OF 994.65 FEET;

THENCE NORTH 44 DEGREES 59 MINUTES 49 SECONDS WEST, LEAVING SAID NORTH RIGHT OF WAY, A DISTANCE OF 28.28 FEET, TO A POINT ON THE EAST RIGHT OF WAY OF JUNIPER DRIVE;

THENCE NORTH 00 DEGREES 00 MINUTES 22 SECONDS EAST, ALONG SAID EAST RIGHT OF WAY, A DISTANCE OF 214.72 FEET, TO A POINT OF CURVE TO THE RIGHT HAVING A RADIUS OF 460.00 FEET;

THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 55 DEGREES 00 MINUTES 01 SECONDS, A DISTANCE OF 441.57 FEET;

THENCE NORTH 55 DEGREES 00 MINUTES 22 SECONDS EAST, A DISTANCE OF 199.43 FEET, TO A POINT OF CURVE TO THE LEFT HAVING A RADIUS OF 540.00 FEET;

THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 54 DEGREES 59 MINUTES 59 SECONDS, A DISTANCE OF 518.36 FEET;

THENCE NORTH 00 DEGREES 00 MINUTES 22 SECONDS EAST, A DISTANCE OF 1.17 FEET;

THENCE NORTH 44 DEGREES 47 MINUTES 40 SECONDS EAST, LEAVING SAID EAST RIGHT OF WAY, A DISTANCE OF 28.39 FEET, TO A POINT ON THE SOUTH RIGHT OF WAY OF ERIE STREET;

THENCE NORTH 89 DEGREES 34 MINUTES 57 SECONDS EAST, ALONG SAID SOUTH RIGHT OF WAY A DISTANCE OF 627.67 FEET;

THENCE SOUTH 45 DEGREES 24 MINUTES 59 SECONDS EAST, LEAVING SAID SOUTH RIGHT OF WAY, A DISTANCE OF 28.28 FEET, TO A POINT ON THE WEST RIGHT OF WAY OF MCCLINTOCK DRIVE;

THENCE SOUTH 00 DEGREES 24 MINUTES 56 SECONDS EAST, ALONG SAID WEST RIGHT OF WAY, A DISTANCE OF 839.25 FEET;

THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 10.00 FEET;

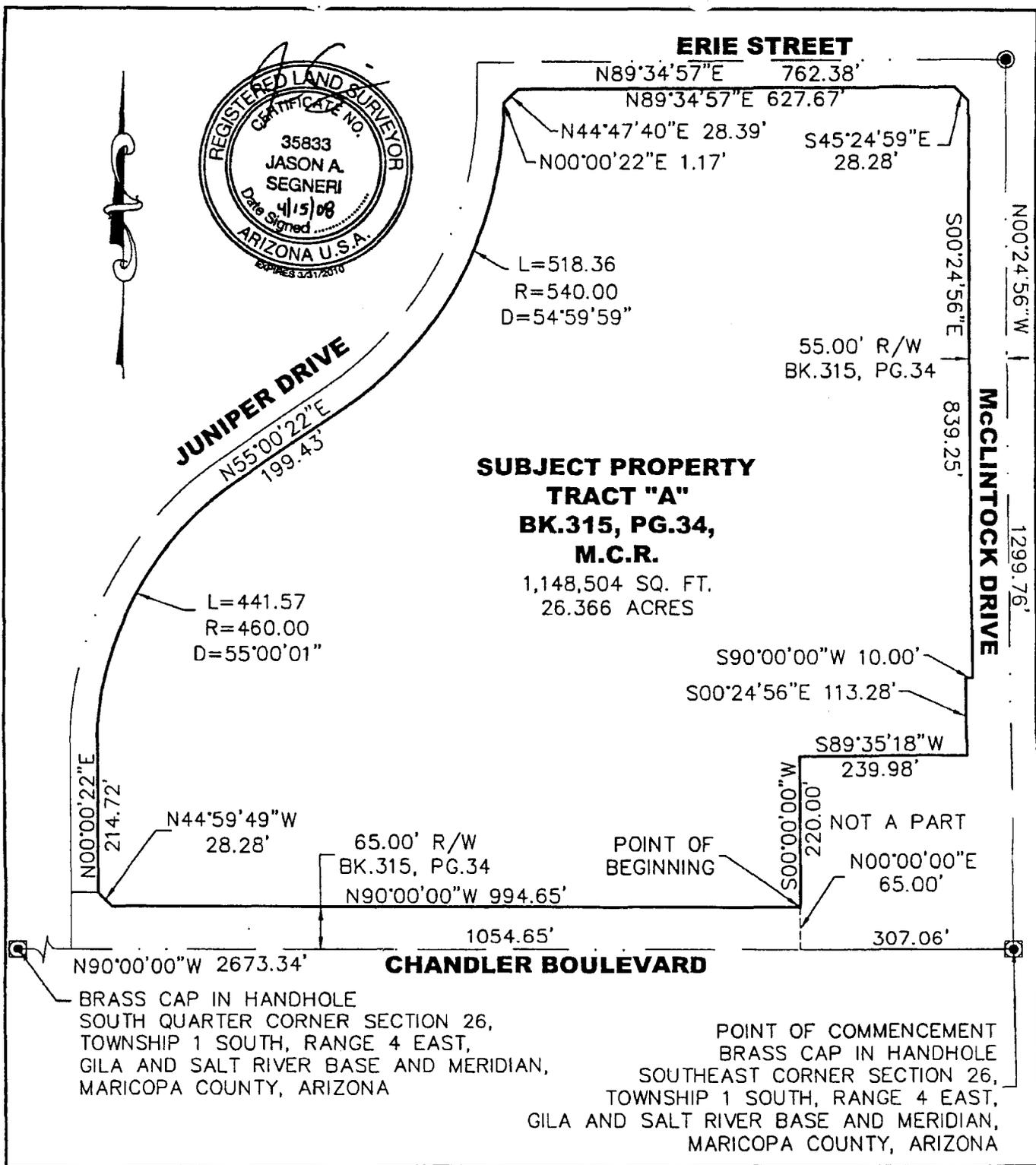
THENCE SOUTH 00 DEGREES 24 MINUTES 56 SECONDS EAST, A DISTANCE OF 113.28 FEET;

THENCE SOUTH 89 DEGREES 35 MINUTES 18 SECONDS WEST, LEAVING SAID WEST RIGHT OF WAY, A DISTANCE OF 239.98 FEET;

THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 220.00 FEET, TO THE **POINT OF BEGINNING** OF THE PARCEL HEREIN DESCRIBED.

SAID PARCEL CONTAINS 1,148,504 SQUARE FEET, OR 26.366 ACRES MORE OR LESS.





Ph (480) 922 0780 **Land Surveying Services** Fx (480) 922 0781  
 16414 N. 91st STREET, STE #102, SCOTTSDALE, AZ 85260

**SIG**  
**SURVEY INNOVATION**  
**GROUP, INC**

**BOUNDARY EXHIBIT**  
**NWC CHANDLER BOULEVARD AND**  
**McCLINTOCK DRIVE**  
**CHANDLER, ARIZONA**

JOB#2007-172	DWG: 7172 BNDY EXBT	DATE 4-15-08
SCALE: NTS	DRAWN: ECP	CHK: JAS
		SHEET 1 OF 1