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JUN 25 2009

ORDINANCE NO. 4161

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) CHURCH TO PLANNED AREA DEVELOPMENT (PAD) GENERAL/MEDICAL OFFICE (DVR08-0004 THE CROSSROADS) 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) for Church uses to Planned Area Development (PAD) Amended for General/Medical Office uses, subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklets, entitled "THE CROSSROADS" kept on file in the City of Chandler Planning Services Division, in File No. DVR08-0004, except as modified by condition herein.
2. 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.

3. 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.
4. 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.
5. Approval by the Director of Planning and Development of plans for landscaping (open spaces and rights-of-way) and perimeter walls.
6. 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.
7. 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 Crossroads development shall use treated effluent to maintain open space, common areas, and landscape tracts.

8. 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.
9. All raceway signage shall be prohibited within the development.
10. The parking shade canopies shall utilize elements and material found upon the building.
11. The site shall be maintained in a clean and orderly manner.
12. The freestanding monument sign tenant panels shall utilize routed push-through opaque-face halo-illuminated lettering.
13. The freestanding monument sign shall utilize an exposed masonry base in lieu of a stucco masonry base.
14. The applicant shall work with Staff to provide additional shading for the third-floor south facing windows.

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:

CITY CLERK

MAYOR

PASSED AND ADOPTED by the City Council this ____ day of _____,
2009.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 4161 was duly passed and
adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the
____ day of _____, 2009, and that a quorum was present thereat.

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY *GAB*

PUBLISHED:

ORDINANCE No. 4161

'ATTACHMENT A'

JN 007-1848
Crossroads Parcel

LEGAL DESCRIPTION

SUBJECT PROPERTY

THAT PORTION OF GOVERNMENT LOT 1, SECTION 6, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 6;
THENCE S00°00'59"E, ALONG THE EAST LINE OF SAID SECTION 6, A DISTANCE OF 802.86 FEET TO THE SOUTH LINE OF THE FINAL PLAT FOR "THE PRESIDIO" AS RECORDED IN BOOK 891, PAGE 48, RECORDS OF MARICOPA COUNTY, ARIZONA;
THENCE S89°20'42"W, ALONG SAID SOUTH LINE AND THE SOUTH LINE OF THE FINAL PLAT OF "SANTAN DOBSON BUSINESS PARK" AS RECORDED IN BOOK 756, PAGE 09, RECORDS OF MARICOPA COUNTY, ARIZONA, A DISTANCE OF 931.58 FEET TO THE POINT OF BEGINNING;

THENCE S00°00'00"E, A DISTANCE OF 42.76 FEET;
THENCE N90°00'00"E, A DISTANCE OF 106.61 FEET;
THENCE S00°00'00"E, A DISTANCE OF 171.50 FEET;
THENCE N90°00'00"W, A DISTANCE OF 19.00 FEET;
THENCE S00°00'00"E, A DISTANCE OF 53.50 FEET;
THENCE N90°00'00"W, A DISTANCE OF 43.00 FEET;
THENCE S00°00'00"E, A DISTANCE OF 27.00 FEET;
THENCE N90°00'00"W, A DISTANCE OF 98.28 FEET;
THENCE N00°00'00"E, A DISTANCE OF 4.80 FEET;
THENCE N90°00'00"W, A DISTANCE OF 127.28 FEET;
THENCE N01°02'15"E, A DISTANCE OF 27.90 FEET;
THENCE S89°52'08"W, A DISTANCE OF 31.19 FEET;
THENCE S17°03'36"W, A DISTANCE OF 25.73 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROUTE 202L (SANTAN FREEWAY) PER "FINAL ORDER OF CONDEMNATION" RECORDED IN INSTRUMENT NO. 2004-0069720, RECORDS OF MARICOPA COUNTY, ARIZONA;
THENCE N72°56'24"W, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 178.86 FEET TO A POINT ON THE WEST LINE OF SAID LOT 1;
THENCE N00°00'00"E, ALONG SAID WEST LINE, A DISTANCE OF 229.80 FEET TO THE SOUTHWEST CORNER OF SAID FINAL PLAT OF "SANTAN DOBSON BUSINESS PARK";
THENCE N89°20'42"E, ALONG THE SOUTH LINE OF SAID FINAL PLAT, A DISTANCE OF 390.19 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 130,680 SQUARE FEET OR 3.000 ACRES, MORE OR LESS.

OLSSON ASSOCIATES
7250 N. 16TH STREET, SUITE 210
PHOENIX, ARIZONA 85020
(602) 748-1000

