

#6

NOV 16 2009

ORDINANCE NO. 4190

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM PAD TO PAD (DVR08-0042 PASEO LINDO) 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 PAD to PAD, subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Paseo Lindo", kept on file in the City of Chandler Planning Services Division, in File No. DVR08-0042, except as modified by condition herein.
2. Compliance with original conditions adopted by the City Council as Ordinance No. 3866 in case DVR06-0018 as applicable to the commercial component, except as modified by condition herein.

3. Condition No. 26 of Ordinance No. 3866 shall be deleted.
4. Condition No. 27 of Ordinance No. 3866 shall be deleted.
5. Condition No. 29 of Ordinance No. 3866 shall be modified to read, "Incorporate additional shade trees where appropriate to further shade walkways along the north side of the southern Main Street retail buildings."
6. Condition No. 37 of Ordinance No. 3866 shall be deleted.
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. The applicant shall work with Staff to provide additional trees and landscape plantings along the main center's Anchor and Majors colonnade without impeding wall signage.
9. The applicant shall work with Staff to provide Date Palms and other smaller trees grouped together to highlight Anchor 1's main entrance without impeding wall signage.
10. The applicant shall work with Staff to provide additional building façade enhancement to the south elevations of Shops B and C providing elements found on front elevations.
11. Provide a direct pedestrian connection from Ocotillo Road to the front of Major A.
12. The applicant shall work with Staff to break up the west elevation of Anchor 1 in the area located north of the trellis and south of Major D through the addition of Date Palm trees, landscaping plantings, and/or shade trees.

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.

Paseo Lindo
JN 007-1040

LEGAL DESCRIPTION

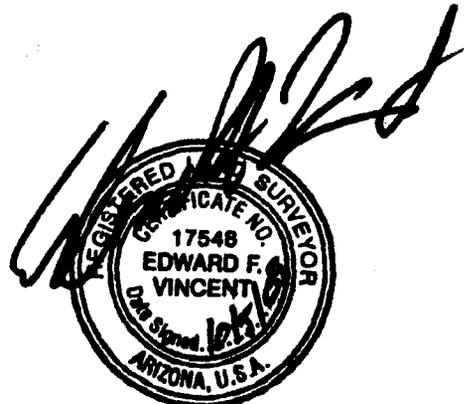
SUBJECT PROPERTY

A PORTION OF LOT 1, AS SHOWN ON THE FINAL PLAT FOR "PASEO LINDO", ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 967 OF MAPS, PAGE 18, BEING LOCATED IN A PORTION OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CONER OF SAID SECTION 15;
THENCE N89°04'34"E, ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 1,320.22 FEET;
THENCE N00°27'48"W, A DISTANCE OF 71.00 FEET TO THE SOUTHEAST CORNER OF SAIT LOT 1, SAID POINT ALSO BEING THE POINT OF BEGINNING;
THENCE S89°04'34"W, ALONG THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 281.18 FEET;
THENCE LEAVING SAID SOUTH LINE N00°17'58"W, A DISTANCE OF 115.49 FEET TO THE BEGINNING OF A TANGENT CURVE;
THENCE NORTHERLY 86.70 FEET ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THE EAST, HAVING A RADIUS OF 787.48 FEET, THROUGH A CENTRAL ANGLE OF 06°18'29";
THENCE N57°46'24"W, A DISTANCE OF 122.72 FEET;
THENCE N01°51'36"E, A DISTANCE OF 305.80 FEET;
THENCE N00°11'04"W, A DISTANCE OF 535.43 FEET;
THENCE N01°12'58"E, A DISTANCE OF 54.77 FEET;
THENCE N89°58'06"W, A DISTANCE OF 110.89 FEET;
THENCE N00°03'32"E, A DISTANCE OF 289.74 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 1;
THENCE N89°36'06"E, ALONG SAID NORTH LINE, A DISTANCE OF 470.72 FEET TO THE NORTHEAST CORNER OF SAID LOT 1;
THENCE S00°27'48"E, ALONG THE EAST LINE OF SAID LOT 1, A DISTANCE OF 1,431.88 FEET TO THE POINT OF BEGINNING.

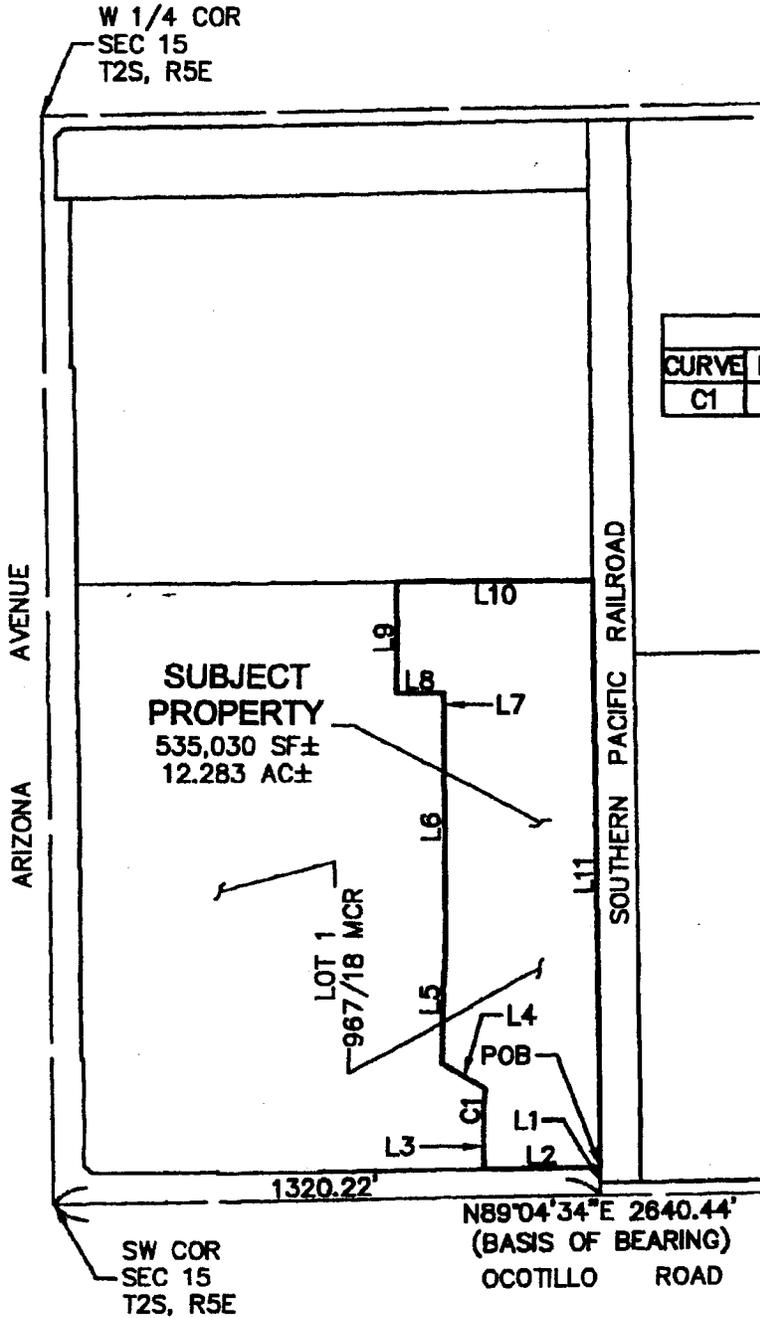
SAID PARCEL CONTAINS 535,030 SQUARE FEET OR 12.283 ACRES, MORE OR LESS.

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



EXPIRES 09-30-2010

LEGAL DESCRIPTION EXHIBIT MAP



CURVE TABLE			
CURVE	RADIUS	LENGTH	DELTA
C1	787.48	86.70	6°18'29"

LINE TABLE		
LINE	LENGTH	BEARING
L1	71.00	N00°27'48"W
L2	281.18	S89°04'34"W
L3	115.49	N00°17'58"W
L4	122.72	N57°46'24"W
L5	305.80	N01°51'36"E
L6	535.43	N00°11'04"W
L7	54.77	N01°12'58"E
L8	110.69	N89°58'06"W
L9	269.74	N00°03'32"E
L10	470.72	N89°36'06"E
L11	1431.88	S00°27'48"E

S 1/4 COR
SEC 15
T2S, R5E

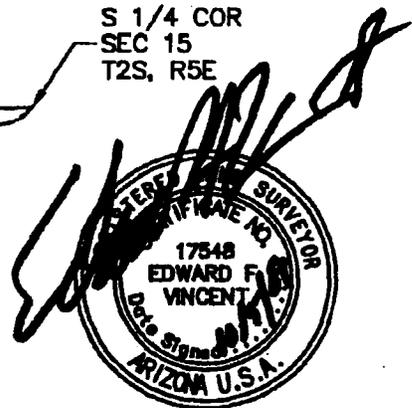
N89°04'34"E 2640.44'
(BASIS OF BEARING)
OCOTILLO ROAD

SW COR
SEC 15
T2S, R5E

OLSSON
ASSOCIATES

7200 North 16th Street
Suite 210
Phoenix, AZ 85020-6202
TEL 602.748.9000
FAX 602.748.1001

PROJECT: 007-1040
DATE: 10-05-09
FILE: 071040_x-Old Office Lot



EXPIRES 09/30/10