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MAR 17 2010



MEMORANDUM Planning and Development – PZ Memo No. 10-013

DATE: MARCH 9, 2010

TO: PLANNING AND ZONING COMMISSION

THRU: PATRICK MCDERMOTT, ASSISTANT CITY MANAGER *[Signature]*
 JEFF KURTZ, ASSISTANT PLANNING AND DEVELOPMENT DIRECTOR *[Signature]*
 KEVIN MAYO, PLANNING MANAGER *JMM for KM*

FROM: JODIE M. NOVAK, MEP, SENIOR CITY PLANNER *[Signature]*

SUBJECT: PDP09-1008 CACHET AT PASEO LINDO

Request: Preliminary Development Plan (PDP) approval for housing products within the residential component of Paseo Lindo

Location: East side of Arizona Avenue, north of Ocotillo Road

Applicant/ Developer: Cachet Homes

Project Info: Approximately 27 acres, Low-Medium Density single-family residential with 141 lots, 4 single-story housing products with 3 elevations each

RECOMMENDATION

Upon finding the request to be consistent with the General Plan and Planned Area Development (PAD) zoning, Staff recommends approval of the Preliminary Development Plan for new housing plans, subject to conditions.

BACKGROUND

The application requests approval to add four 1-story housing plans for Cachet at Paseo Lindo. The residential component is a part of a larger mixed-use development named Paseo Lindo. The commercial and residential mixed-use development was approved Planned Area Development (PAD) zoning with Preliminary Development Plan (PDP) in November 2006. The residential component of Paseo Lindo is a unique, gated, low-medium density residential community. The community was approved with 146 lots at 5.43 dwelling units per acre (du/ac), which was reduced to 141 lots after engineering modifications. Lot sizes range from approximately 4,495 to 5,145 square feet. The subdivision improvements are complete with three 2-story model homes built; no other homes have been built.

The Paseo Lindo development offers a commercial retail component with a residential component that serves each other. The development offers a mix of uses for persons to shop, work, and live. The “urban village” feel of the development combines retail, service, and residential that promotes a pedestrian-oriented environment. The residential community has convenient vehicular and pedestrian access to the commercial development.

The approved housing products include three 2-story housing product types with three elevations each for a total of 6 elevation options. The homes have various architectural styles including Spanish Colonial, Rural Mediterranean, Spanish Monterey, Craftsman, and Ranch Hacienda. The homes range in size from 2,100 to 2,400 square feet of livable space. The two-story homes have one-story garage elements. The garage orientation of the 2-story homes was varied in that the same garage orientation did not occur on adjacent lots. There is a garage located at the rear of the home, a side-entry garage at the home’s front, and a forward facing garage recessed from the front of the home.

The proposed housing plans include four 1-story housing product types in addition to the existing 2-story homes offered so that the development can offer a mix of one- and two-story homes. The new housing plans range in size from 1,613 to 2,013 square feet of livable area. The housing products meet the Residential Development Standards. There are a couple required elements for two-story homes that were not previously required and not required with this request. See attached.

There are three architectural styles offered which include Spanish Colonial, Craftsman, and Ranch Hacienda. The proposed 1-story homes are designed to fit within the building envelopes established with the 2-story homes; however, three of the four plans have a forward facing garage with one plan having a side-entry garage. The housing plans incorporate varied rooflines, two-car garages, varied window shapes and styles, stone accents, covered front entries, standard rear yard covered patios, and a porch on one plan. Stone is provided on the Spanish Colonial and Craftsman elevations. Building elevations and photos of the existing 2-story homes are within the Development Booklet.

The proposed change in housing products includes reduced livable area square footages in the smallest and largest housing plans greater than a 10% reduction from the originally approved housing plan sizes. By policy, changes in housing plan livable area square footage greater than a 10% reduction, although the housing plan may be in substantial conformance with architectural design, are not approved administratively and require PDP approval. The smallest and largest housing plans originally approved are 2,100 and 2,400 livable area square feet. The proposed smallest and largest housing plans are 1,613 and 2,013 livable area square feet. The reduction in livable area square feet for the smallest and largest housing plans is approximately 23% and 16% respectively.

The lot configuration, building setbacks, open spaces, subdivision design, and the like remain unchanged. The subdivision lot layout has rectangular shaped lots that include irregular side yard property lines. In the industry, the platting pattern is known as a z-lot configuration. The development includes homes whose side yard varies in width depending upon the home’s

footprint and the specific lot design. The homes and privacy walls will be situated on lots to create functional side yards that are at 5 feet in width. This is accomplished with the application of Use and Benefit easements on portions of the lots. Building setbacks for front yards are a minimum of 10 feet with front yard setbacks staggering lot-to-lot. Rear yard setbacks are a minimum of 15 feet. The maximum lot coverage is 50 percent. The typical minimum building setbacks and lot coverage for the development are not changing with this request.

The development request agrees to existing zoning conditions which includes the same elevation shall not be built side-by-side or directly across the street from one another, a minimum of two trees shall be planted in each front yard, and disclosure/notification conditions related to the airport, the property to the north which is land planned for Commercial/Office/Business Park in which multi-story buildings may be considered, and City facilities map website. Since the original approval included 2-story homes on all lots, there are no zoning conditions restricting locations of 2-story homes.

DISCUSSION

The proposed housing products are very similar and meet the quality of development expectations as previously established for Paseo Lindo. Homes maintain the Residential Development Standards, architectural details, and varying architectural styles as represented with the 2-story housing plans. The addition of 1-story homes to the already approved 2-story homes offers more diversity and streetscape appeal within the community. The community is unique in that it is a part of a larger mixed-use development providing direct access to the commercial component. While some of the housing plans are smaller than those previously approved and developing, Staff is of the opinion that the additional housing plans will provide greater diversity in regards to housing sizes and styles within Paseo Lindo.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on February 10, 2010. No one attended other than the applicant.
- As of the date of this memo, Staff and the applicant are not aware of any opposition to the requests.

RECOMMENDED ACTION

Upon finding consistency with the General Plan and PAD zoning, Staff recommends approval of Preliminary Development Plan case PDP09-1008 CACHET AT PASEO LINDO, subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Paseo Lindo Cachet Homes", kept on file in the City of Chandler Planning Services Division, in File No. PDP09-1008, except as modified by condition herein.

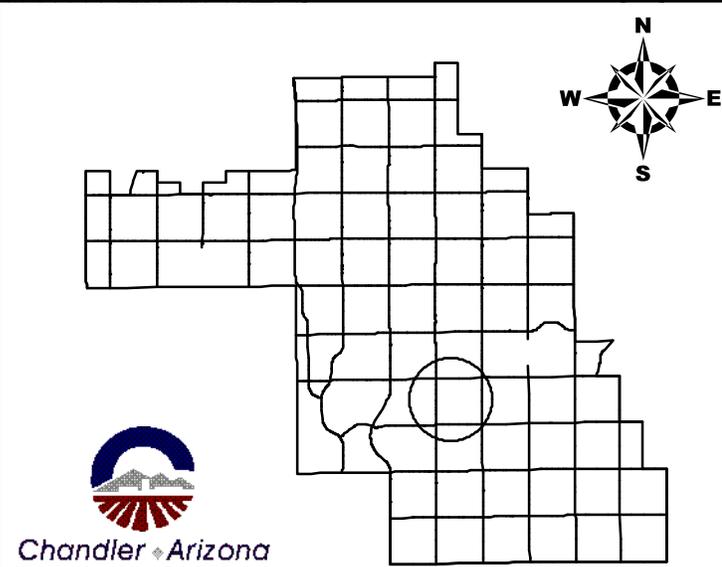
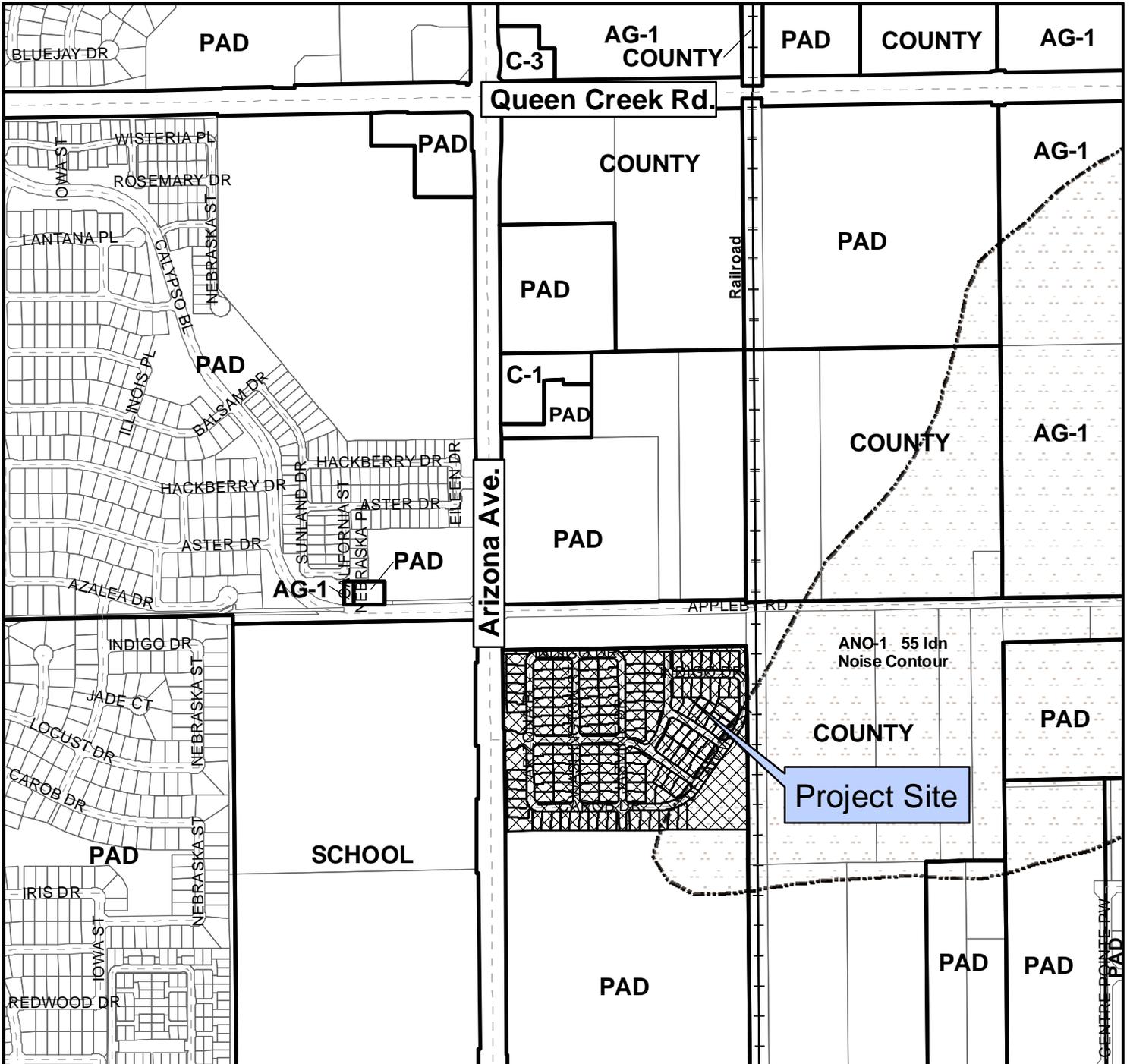
2. Compliance with original stipulations adopted by the City Council as Ordinance No. 3866 in case DVR06-0018, except as modified by condition herein.

PROPOSED MOTION

Motion to recommend approval of Preliminary Development Plan case PDP09-1008 CACHET AT PASEO LINDO for housing products, per Staff recommendation.

Attachments

1. Vicinity Maps
2. Site Plan
3. Sample of housing plans
4. Residential Development Standards
5. Ordinance No. 3866
6. Development Booklet, Exhibit A



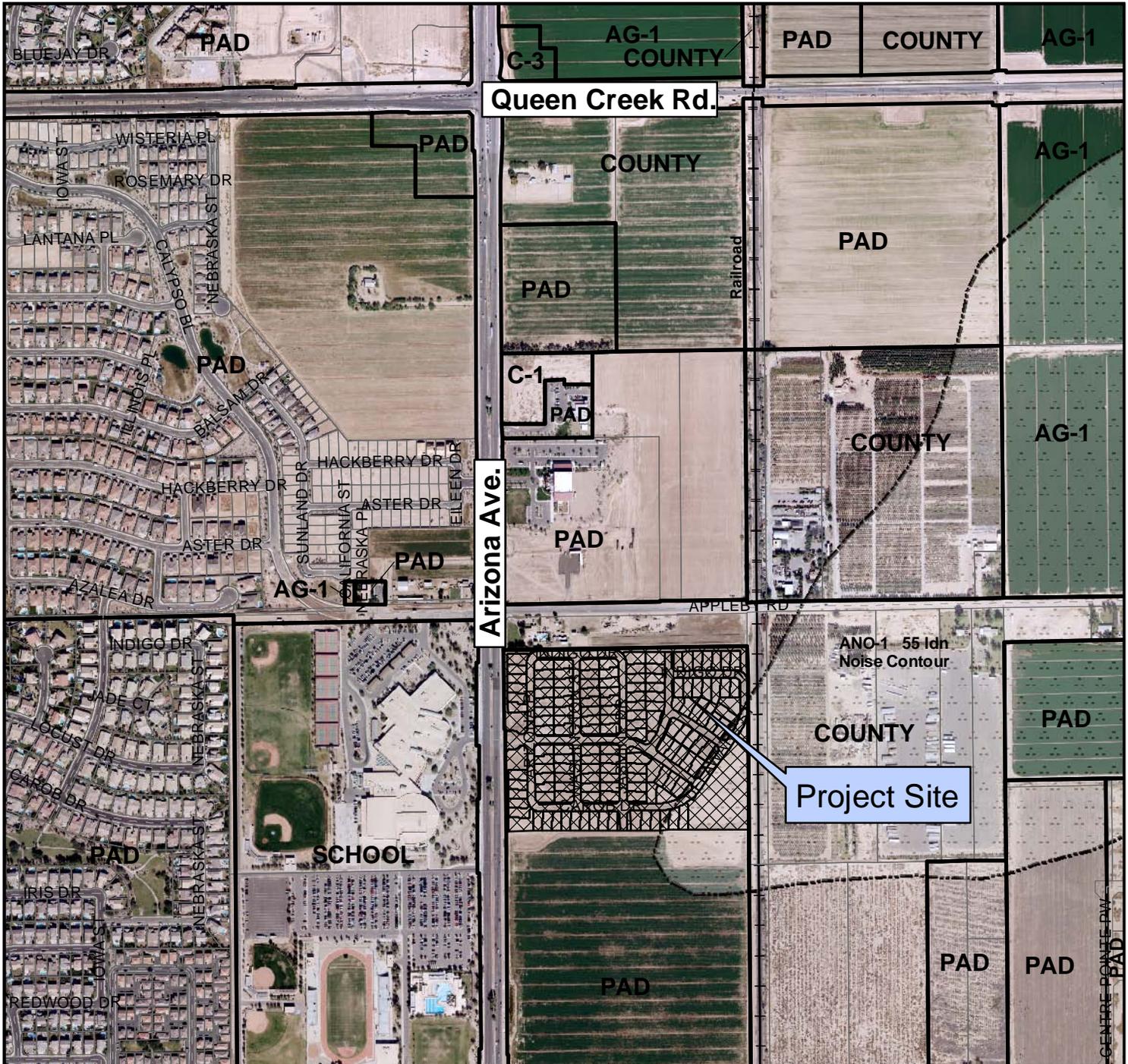
Vicinity Map



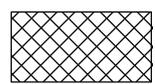
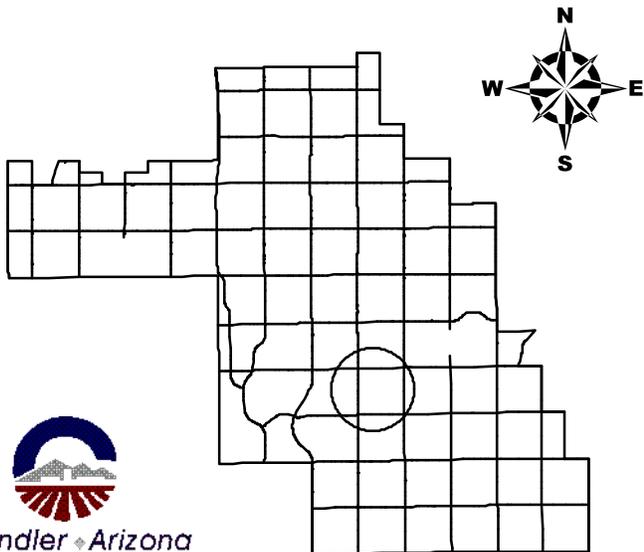
PDP09-1008

Cachet At Paseo Lindo





Vicinity Map

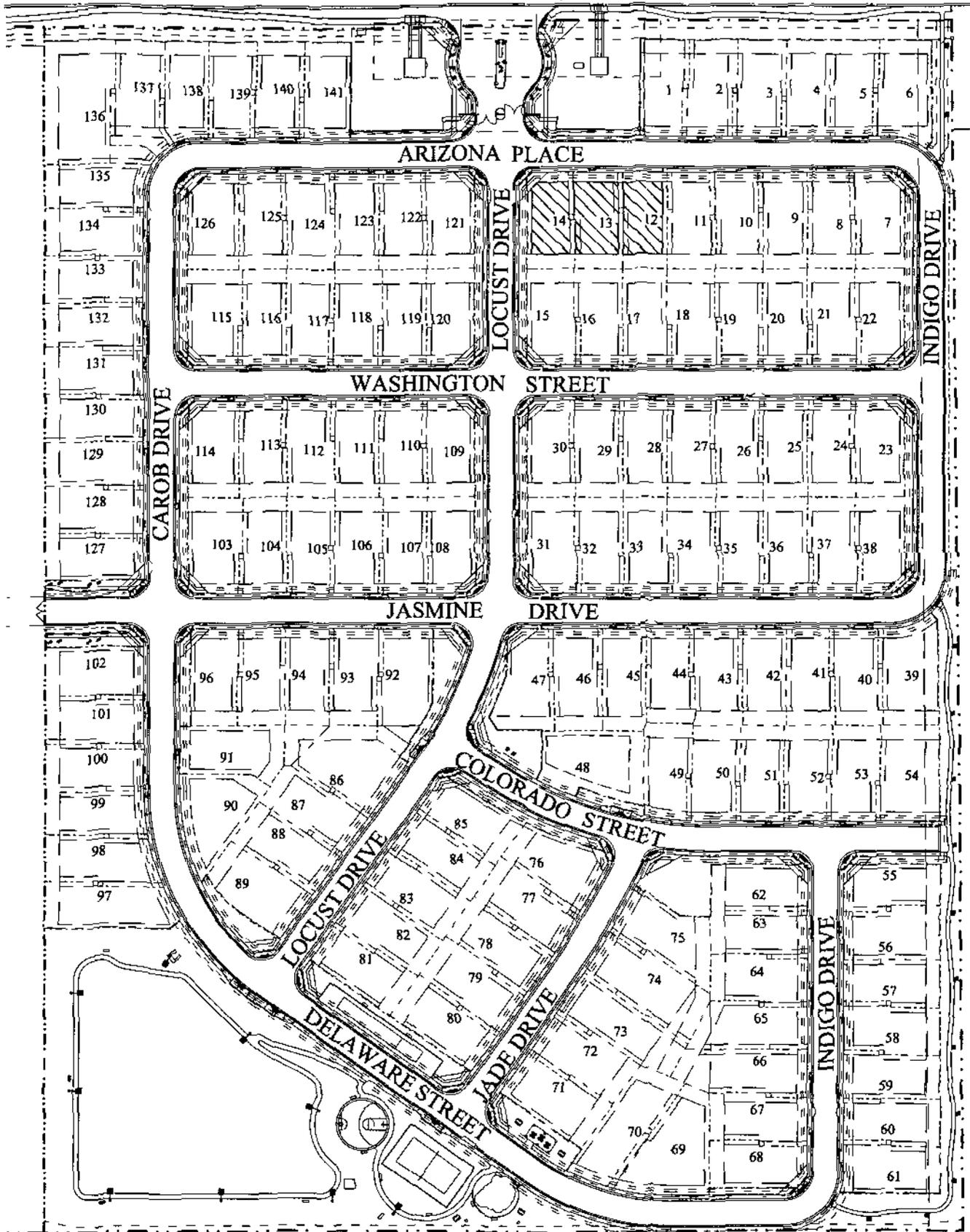


PDP09-1008

Cachet At Paseo Lindo



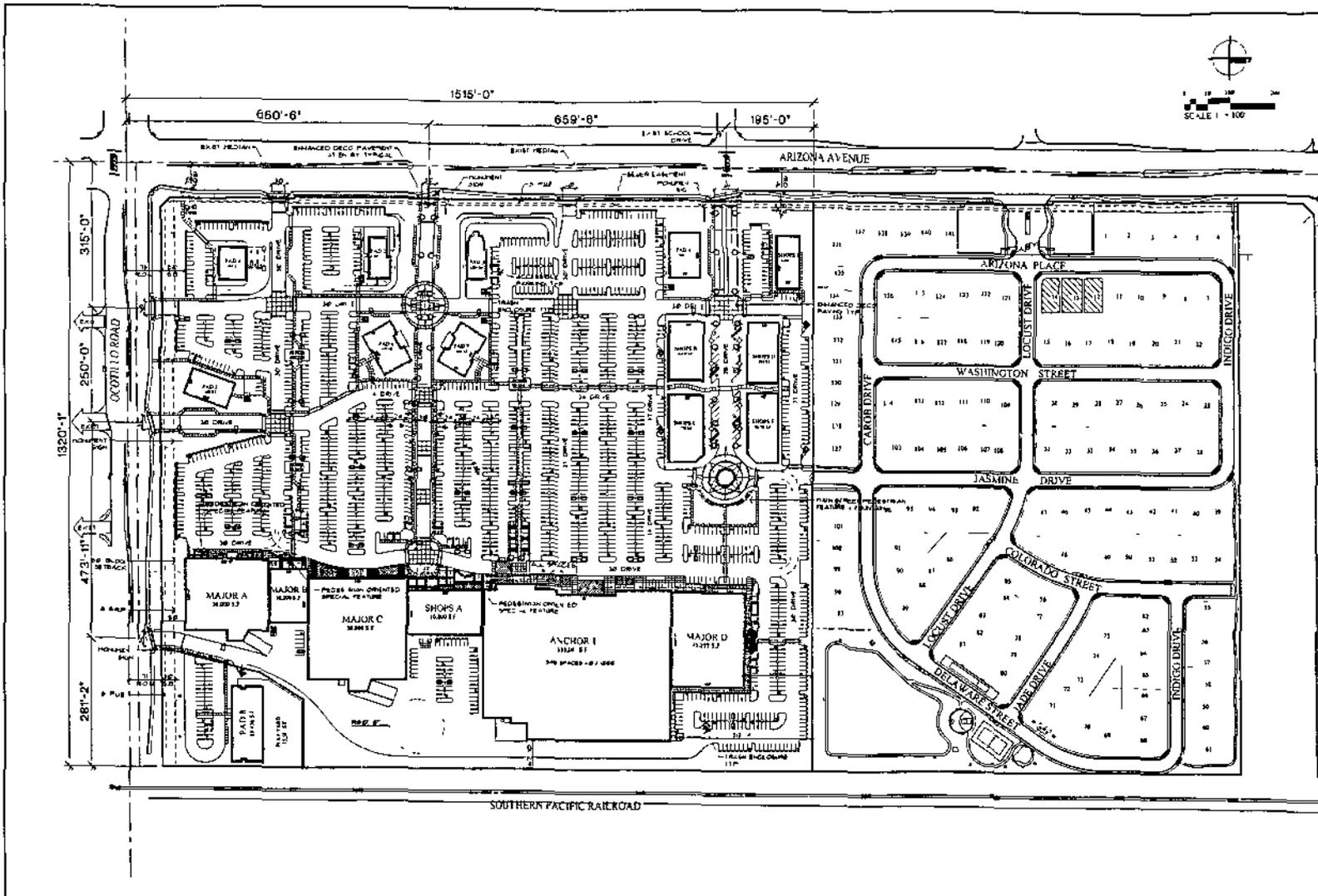
ARIZONA AVENUE



SITE PLAN PASEO LINDO

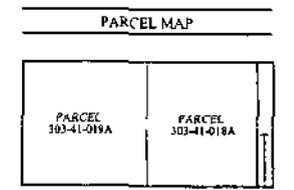
EXISTING MODELS 





SITE DATA	
SITE AREA (GROSS)	1,999,763 S.F. (45.7 ACRE)
SITE AREA (NET)	1,791,789 S.F. (41.1 ACRE)
LANDSCAPE AREA PROVIDED	294,547 S.F. 16.4%
BUILDING AREA S.F.	
ANCHOR I	332,051
MAJOR A	30,000
MAJOR B	10,000
MAJOR C	10,000
MAJOR D	10,000
SHOPS A	10,000
SHOPS B	10,000
SHOPS C	10,000
SHOPS D	10,000
SHOPS E	10,000
SHOPS F	10,000
SHOPS G	10,000
SHOPS H	10,000
SHOPS I	10,000
SHOPS J	10,000
SHOPS K	10,000
SHOPS L	10,000
SHOPS M	10,000
SHOPS N	10,000
SHOPS O	10,000
SHOPS P	10,000
SHOPS Q	10,000
SHOPS R	10,000
SHOPS S	10,000
SHOPS T	10,000
SHOPS U	10,000
SHOPS V	10,000
SHOPS W	10,000
SHOPS X	10,000
SHOPS Y	10,000
SHOPS Z	10,000
TOTAL	385,674 S.F.
% COVERAGE (BASED ON GROUND FLOOR ONLY)	21.6%
REQUIRED PARKING	
BANK (4,461 S.F. @ 1:150)	30 SPACES
RESTAURANT (37,000 S.F. X 6/50)	444 SPACES
DAYCARE (11,456 S.F. @ 1:200)	57 SPACES
RETAIL (332,757 S.F. @ 1:250)	1,331 SPACES
TOTAL REQUIRED PARKING	1,936 SPACES
ACCESSIBLE PKG REQUIRED	29 SPACES
PROVIDED PARKING	
BANK	30 SPACES
RESTAURANT	518 SPACES
DAYCARE	31 SPACES
FUTURE (PAD 8)	19 SPACES
RETAIL	1,338 SPACES
TOTAL PROVIDED PARKING	1,936 SPACES
ACCESSIBLE PKG PROVIDED	64 SPACES
PARKING RATIO	5.08 / 1000

RED DEVELOPMENT
 6263 N SCOTTSDALE ROAD SUITE 330
 SCOTTSDALE, ARIZONA 85250
 P 480.947.7772 F 480.947.7997



PARCEL 303-41-017
 DATE: 11-20-09
 JOB NUMBER: 0905
 0905-4132 R

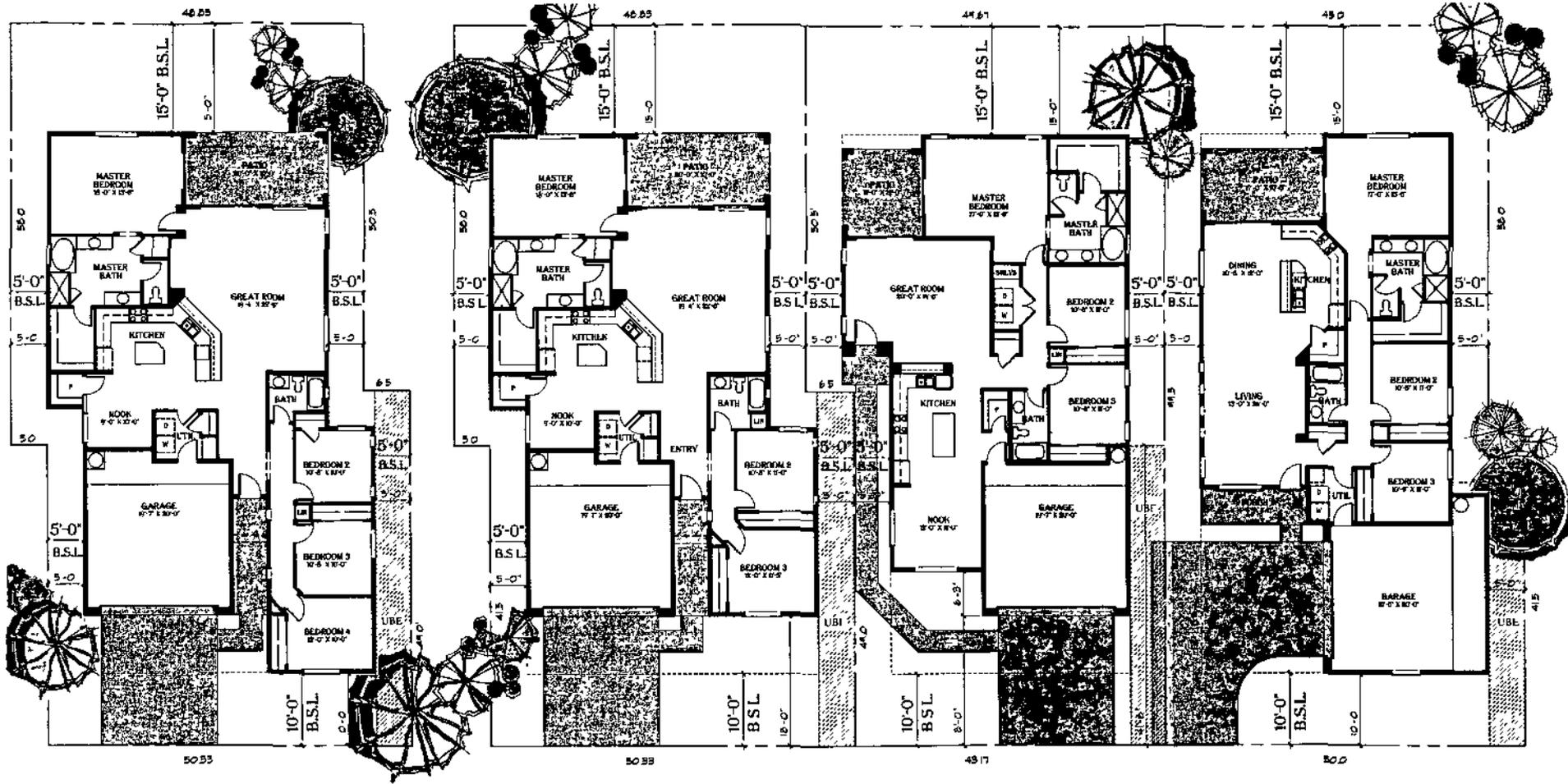


RLD Development
 1201 N. Scottsdale Rd.
 Scottsdale, AZ 85250
 (480) 947-7772 Phone
 (480) 947-7997 Fax

PASEO LINDO

PROPOSED MIXED-USE DEVELOPMENT
 CHANDLER, ARIZONA

Butler Design Group
 Architects & Planners
 5555 East Van Buren St
 Suite 215
 Phoenix, Arizona 85006
 phone: 602.987.8000
 fax: 602.987.7722



PLAN 204 (PLAN 203 W/OPTIONS)
2013 S.F.

PLAN 203
1892 S.F.

PLAN 202
1734 S.F.

PLAN 201
1613 S.F.

**PASEO LINDO
FLOOR PLANS**

Cachet
HOMES
17200 N PERIMETER DR. STE. 800
SCOTTSDALE, AZ 85256
SCRIVNER
DESIGN GROUP

PASEO LINDO FLOOR PLANS



204 SPANISH COLONIAL
(PLAN 203 W/ OPTIONS)

203 RANCH HACIENDA

202 CRAFTSMAN

201 SPANISH COLONIAL

PASEO LINDO STREETScape

STREETSCAPE

Lachet
H O M E S
THOMAS R. PERDUE, INC. STE. 200
SHELTON, AZ 85084
SCRIVNER
DESIGN GROUP

1-13-10

Cachet at Paseo Lindo PDP09-1008
ARCHITECTURAL DIVERSITY ELEMENTS ANALYSIS

REQUIRED 9 ELEMENTS (9 of 9):	
1. Provide four-sided architecture on all portions of building visible from arterial street	1
2. De-emphasize garage fronts: garage forward no more than 1/3 of front elevation or not to extend from body of house more than 8 feet or include low courtyard walls	1
3. Front door or courtyard entry to be visible from street	1
4. Single-story or combination one- and two-story homes on all corner lots with 2-story portion encompassing a max. 75% of building footprint & oriented furthest away from the side yard street side Was not a part of original approval of 2-story homes and not part of current request.	N/A
5. Enhanced rear elevations along arterial and collector streets and open spaces	1
6. Variety of roofing colors, textures, and shapes	1
7. Durable exterior materials and finishes (brick, masonry, stone, stucco facades)	1
8. Box-on-box (two-story) homes to include a single-story element on rear elevations or second story plan changes or multiple roof designs	N/A
9. Standard covered rear patios on all floor plans	1
OPTIONAL ELEMENTS (Minimum Required – 7 points):	
1. Provide at least 3 significant architectural style differences with at least 4 distinctive features	1
2. Prohibit the same front elevation on adjoining homes or across the street	1
3. Standard feature stone, brick, or accent façade material on at least one elevation for each floor plan available	1
4. Provide distinctive architectural details on all elevations; covered front porches, covered front entries, door & window details, roof features, etc.	1
5. Provide screening or other accommodation for trash bins, recycling bins, household tools and equipment	1
6. Incorporate standard front porches, defined courtyards, or other defined front yard outdoor living spaces on at least one elevation for each floor plan	0
7. Limit the amount of 2-story homes along arterial & collector streets to no more than every third lot, no 2-story homes backing onto freeways Was not a part of original approval of 2-story homes and not part of current request.	N/A
8. Break-up the main ridgelines on roof slopes, whereby at least 25% of the ridgeline includes multiple roof elevations or plane changes	1
9. Prohibit series of roof slopes visible from arterial street, which are parallel with, or perpendicular to the street by limiting no more than 2 adjacent lots having identical rear elevation roof lines.	1
10. Provide a variety of front yard landscape packages installed by builder	0
11. Utilize at least one elevation per floor plan having a portion of the roof being flat on at least one elevation per floor plan	0
12. Provide four-sided architecture throughout subdivision on all portions of the building over 6 ft. high (side and rear yard) walls throughout the subdivision	0
13. Any other architectural feature – e.g. porte-cochere, extended porches, “green” building, etc.	0
TOTAL POINTS (Minimum Required 9 + 7 optional points) = 16	14*
* Two required items are not applicable	

ORDINANCE NO. 3866

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM COUNTY RURAL-43 (RURAL RESIDENTIAL) AND C-3 (GENERAL COMMERCIAL) TO INITIAL CITY ZONING DISTRICT PAD (DVR06-0018 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 County Rural-43 (Rural Residential) and C-3 (General Commercial) zoning to initial City zoning district Planned Area Development (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's AP06-0002 and DVR06-0018, except as modified by condition herein.
2. 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.
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. 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.
9. 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.
10. 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.
11. 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 Paseo Lindo development shall use treated effluent to maintain open space, common areas, and landscape tracts.

12. The monument sign's sign panels shall have an integrated or decorative cover panel until a tenant name is added to the sign.
13. Landscaping shall be in compliance with current Commercial Design Standards.
14. All raceway signage shall be prohibited within the development.
15. 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.
16. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner, property owners' association, or homeowners' association.
17. A tot lot shall be provided with a minimum of 20 total play stations.
18. The same elevation shall not be built side-by-side or directly across the street from one another.
19. A minimum of two trees at a minimum of 2-inch caliper each shall be planted in all front yards.
20. The following stipulations shall be the responsibilities of the subdivider/homebuilder/developer and shall not be construed as a guarantee of disclosure by the City of Chandler:
 - a) Prior to any lot reservation or purchase agreement, any and all prospective homebuyers shall be given a separate disclosure statement, for their signature, fully acknowledging that this subdivision lies within the Chandler Municipal Airport Impact Overlay District, as specified in the Chandler Zoning Code. The disclosure statement shall acknowledge the proximity of this subdivision to the Chandler Airport and that an avigational easement exists and/or is required on the property, and further, shall acknowledge that the property is subject to aircraft noise and overflight activity. This document signed by the homebuyer shall be recorded with Maricopa County Recorders Office upon sale of the property.
 - b) The subdivider/homebuilder/developer shall also display, in a conspicuous place within the sales office, a map illustrating the location of the subdivision within the Airport Impact Overlay District, as well as the noise contours and overflight patterns, as identified and depicted in the document entitled *Chandler Municipal Airport, F. A. R Part 150, Noise Compatibility Study, Noise Compatibility Program, Exhibit 6A (Potential Airport Influence Area)*, as adopted by the Chandler City Council (Resolution No. 2950, 11-5-98). Such map shall be a minimum size of 24" x 36".
 - c) The above referenced information shall also be included within the Subdivision Public Report to be filed with the State of Arizona Department of Real Estate, as required by Arizona Revised Statute 28-8486 and Arizona Revised Statute 28-8464.
 - d) Compliance with this condition shall be demonstrated by the subdivider/homebuilder/developer by submittal of a signed affidavit and photograph that acknowledges this disclosure and map display prior to beginning any sales activity. Failure to comply with this condition will result in revocation of the

Administrative Use Permit for the temporary sales office. All requirements as set forth in this condition are the obligation of the subdivider/homebuilder/developer and shall not be construed as a guarantee of disclosure by the City of Chandler.

- e) The subdivider/homebuilder/developer shall provide the City with an avigational easement over the subject property in accordance with Section 3004 of the City of Chandler Zoning Code.
- f) All homes and buildings shall be designed and built with noise attenuation construction to achieve an interior noise level of 45 decibels for a single event from an aircraft. A registered engineer shall certify that the project is in conformance with this condition.
- g) The Final Plat shall contain the following statement on the cover sheet in a prominent location and in large text:

“This property is located within the Chandler Municipal Airport Impact Overlay District and is subject to aircraft noise and overflight activity, and is encumbered by an avigational easement to the City of Chandler.”

- 21. 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 a future heliport at the Chandler Municipal Airport that may cause adverse noise, odors, and other externalities. The “Public Subdivision Report”, “Purchase Contracts”, CC&R’s, and the individual lot property deeds shall include a disclosure statement outlining that the site is adjacent to or nearby a future heliport, 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.
- 22. 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 an existing landfill and future transfer station that may cause adverse noise, odors, and other externalities. The “Public Subdivision Report”, “Purchase Contracts”, CC&R’s, and the individual lot property deeds shall include a disclosure statement outlining that the site is adjacent to or nearby an existing landfill and future transfer station, 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.
- 23 Homebuilder will advise all prospective homebuyers of the information on future City facilities contained in the City Facilities map found at www.chandleraz.gov/infomap, or available from the City’s Communication and Public Affairs Department. The homebuilder shall post a copy of the City Facilities map in the sales office showing the location of future and existing City facilities.

24. 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 undeveloped land north of Paseo Lindo, which is planned for non-residential use. In accordance with the Chandler Airpark Area Plan, the property to the north is land planned for Commercial/Office/Business Park in which multi-story buildings may be considered. The "Public Subdivision Report", "Purchase Contracts", CC&R's, and the individual lot property deeds shall include a disclosure statement outlining that the site is adjacent to property planned for non-residential use and has the potential to develop with multi-story buildings. This responsibility for notice rests with the home builder/lot developer, and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.
25. The applicant shall work with Staff to enhance the bank drive-through columns to include building materials and features found on the building other column.
26. The commercial/office/business park parcel, including the building for office/day care/fitness club, shall be reviewed and approved through a separate Preliminary Development Plan. The architectural style and quality shall be commensurate with the main retail center.
27. Buildings within the commercial retail portion shall be limited to 45 feet in height except for architectural embellishments, which may exceed 45 feet in height as defined in the Mid-Rise Development Policy. Consideration for mid-rise buildings shall be requested through a separate PAD zoning with PDP for the commercial/office/business park portion, which includes the building labeled office/day care/fitness club.
28. The homebuilder/lot developer shall disclose in the CC&R's that the building setbacks for future multi-story commercial/office/business park uses on the Farmer family property (abutting Paseo Lindo's north property line) may be measured from the nearest residential homes within Paseo Lindo instead of the Farmer parcel's south property line.
29. In addition to the series of Date Palm and Palo Verde trees as depicted on the landscape plan, incorporate additional shade trees where appropriate to further shade walkways along the north side of the southern Main Street retail/office buildings.
30. 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 varied brick pattern, color variations, stucco, columns, decorative cap at columns and/or top of wall, and any other horizontal or vertical plane changes.
31. A gas station use shall be prohibited within the development.
32. The monument signs shall be incorporated with the commercial development to match materials and colors.
33. The applicant shall work with Staff on the design of Pads 2, 3, 6, and 7 building elevations along driveway sides such as but not limited to hardscape features, trellises, pillars, and the like.

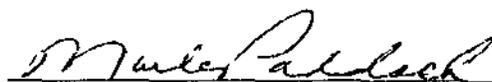
- 34. Landscaping and pruning of plant material in the commercial and residential portions shall be maintained in a similar manner.
- 35. The application shall work with Staff on the development's landscape plans to ensure themeing, maximizing turf, and landscape palette throughout the project.
- 36. There shall be no grocery store greater than 15,000 square feet.
- 37. The two buildings immediately east of pads P4 and P5 shall be two-stories in height.
- 38. Trees along the north property line shall be a double row, staggered, and include an 8-foot high perimeter wall.
- 39. Single-family residences shall maintain a minimum 35-foot setback from the homes to the north property line (adjacent to the Farmer property) of which a minimum of 20 feet shall be placed within common open space or roadway tracts.

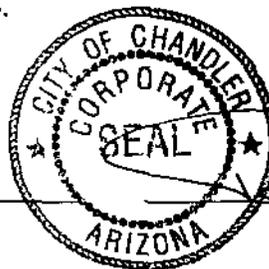
SECTION II. Except where provided, nothing contained herein shall be construed to be an abridgment of any other ordinance of the City of Chandler.

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 of the City of Chandler, Arizona, this 16th day of November 2006.

ATTEST:

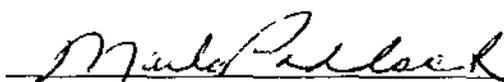

CITY CLERK




MAYOR

PASSED AND ADOPTED by the Mayor and City Council of the City of Chandler, Arizona, this 11th day of December, 2006.

ATTEST:


CITY CLERK




MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 3866 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the 11th day of December, 2006, and that a quorum was present thereat.


CITY CLERK

APPROVED AS TO FORM:


CITY ATTORNEY

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