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JUL 25 2016

ORDINANCE NO. 4708

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM AGRICULTURAL DISTRICT (AG-1) TO PLANNED AREA DEVELOPMENT (PAD) FOR SINGLE-FAMILY RESIDENTIAL IN CASE DVR16-0002 SAN MARCOS DRIVE CUSTOM HOME 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 Agricultural District (AG-1) to Planned Area Development (PAD) for single-family residential, subject to the following conditions:

1. Development shall be in substantial conformance with Exhibits A, B, C, and D as represented by the applicant and kept on file in the City of Chandler Planning Division, in File No. DVR16-0002 SAN MARCOS DRIVE CUSTOM HOME, modified by such conditions included at the time the Exhibits were approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.

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.

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 Division 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, Maricopa County, Arizona, this ____ day of _____, 2016.

ATTEST:

CITY CLERK

MAYOR

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona this ____ day of _____, 2016.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 4708 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the _____ day of _____, 2016, and that a quorum was present thereat.

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY *GAB*

PUBLISHED:

Legal Description

"Exhibit A"

Ordinance No. 4708
DVR 16-2002

A portion of the Northwest quarter of Section 33, Township 1 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

Beginning at the Western most corner of Lot 43, of THE SUBDIVISION OF SAN MARCOS FAIRWAYS, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 20 of Maps, page 33, said point also being on the Northerly line of that private roadway known as San Marcos Drive;

Thence South 28 degrees 57 minutes 50 seconds West 15 feet to a point on the center line of said San Marcos Drive, said point also being on the Westerly line of the said subdivision of SAN MARCOS FAIRWAYS;

Thence West 150.00 feet;

Thence North 150.00 feet;

Thence South 71 degrees 44 minutes 38 seconds East 225.25 feet to the West line of said Lot 43;

Thence South 40 degrees 30 minutes 00 seconds West, along the said Westerly line, a distance of 87.21 feet to the TRUE POINT OF BEGINNING.