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JUL 25 2016

ORDINANCE NO. 4706

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) GOLF COURSE TO PAD (MULTI-FAMILY RESIDENTIAL) INCLUDING A MID-RISE OVERLAY FOR BUILDINGS UP TO 55 FEET IN HEIGHT FOR A MULTI-FAMILY RESIDENTIAL DEVELOPMENT IN CASE (DVR16-0003 ALTA SAN MARCOS) 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) Golf Course to PAD (Multi-Family Residential) including a mid-rise overlay for buildings up to 55 feet in height for a multi-family residential development, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "ALTA SAN MARCOS" and kept on file in the City of Chandler Planning Division, in File No. DVR16-0003, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.

2. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
3. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual #4).
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. 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 or as otherwise approved in a development agreement.
6. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
7. Building heights shall be limited to a maximum of fifty-five (55) feet in height.
8. 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. 4706 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:

Attachment 'A'

Ordinance no. 4706

LEGAL DESCRIPTION PER TITLE COMMITMENT NO. NCS-742324-SD

A PORTION OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 1 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 33, BEING MARKED BY A BRASS CAP FLUSH, FROM WHICH THE NORTHEAST CORNER OF SAID SECTION 33, BEING MARKED BY A BRASS CAP IN HANDHOLE, BEARS NORTH 89 DEGREES 59 MINUTES 51 SECONDS EAST, 2697.86 FEET;

THENCE NORTH 89 DEGREES 59 MINUTES 51 SECONDS EAST, ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER AND THE CENTERLINE OF CHANDLER BOULEVARD, 583.97 FEET;

THENCE DEPARTING SAID NORTH LINE, SOUTH 00 DEGREES 52 MINUTES 23 SECONDS EAST, 68.01 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF CHANDLER BOULEVARD, AS RECORDED IN BOOK 757, PAGE 25, MARICOPA COUNTY RECORDS (M.C.R.) AND TO THE POINT OF BEGINNING;

THENCE NORTH 89 DEGREES 59 MINUTES 51 SECONDS EAST, ALONG SAID RIGHT-OF-WAY LINE, 613.75 FEET;

THENCE DEPARTING SAID RIGHT-OF-WAY LINE, SOUTH 86 DEGREES 18 MINUTES 58 SECONDS EAST, 87.39 FEET;

THENCE SOUTH 86 DEGREES 19 MINUTES 19 SECONDS EAST, 59.13 FEET;

THENCE NORTH 89 DEGREES 56 MINUTES 56 SECONDS EAST, 154.51 FEET;

THENCE SOUTH 44 DEGREES 47 MINUTES 55 SECONDS EAST, 16.51 FEET TO THE WEST RIGHT-OF-WAY LINE OF DAKOTA STREET, AS RECORDED IN BOOK 757, PAGE 25, (M.C.R.);

THENCE SOUTH 01 DEGREE 10 MINUTES 09 SECONDS WEST, ALONG SAID RIGHT-OF-WAY LINE, 126.18 FEET;

THENCE DEPARTING SAID RIGHT-OF-WAY LINE, NORTH 88 DEGREES 36 MINUTES 52 SECONDS WEST, 173.33 FEET;

THENCE SOUTH 01 DEGREE 04 MINUTES 38 SECONDS WEST, 30.40 FEET;

THENCE SOUTH 63 DEGREES 46 MINUTES 40 SECONDS WEST, 347.90 FEET;

THENCE NORTH 89 DEGREES 59 MINUTES 46 SECONDS WEST, 417.30 FEET;

THENCE NORTH 00 DEGREES 03 MINUTES 27 SECONDS WEST, 325.72 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 236,987 SQUARE FEET OR 5.400 ACRES, MORE OR LESS.