

ORDINANCE NO. 4955

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING PARCELS FROM PLANNED AREA DEVELOPMENT FOR MEDIUM DENSITY RESIDENTIAL (PAD/MF-1) TO PLANNED AREA DEVELOPMENT (PAD) FOR COMMERCIAL AS REPRESENTED IN CASE PLH20-0048 (VALERIO AT OCOTILLO AND RESIDENCE INN EXPANSION) LOCATED EAST OF THE SOUTHEAST CORNER OF QUEEN CREEK ROAD AND PRICE ROAD WITHIN THE CORPORATE LIMITS OF THE CITY OF CHANDLER, ARIZONA; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR PENALTIES.

WHEREAS, the application for rezoning 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 1. Legal Description of Property:
As described in *EXHIBIT 'A'*

Said property is hereby rezoned from Planned Area Development for Medium Density Residential (PAD/MF-1) to Planned Area Development (PAD) for Commercial (PAD), subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "Valerio at Ocotillo and Residence Inn Expansion" and kept on file in the City of Chandler Planning Division, in File No. PLH20-0048, 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. The hotel's minimum building setback shall be no less than 30 ft. from the north property line.

Section 2. 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.

Section 3. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance, or any parts hereof, are hereby repealed.

Section 4. In any case, where any building, structure, or land is used in violation of this Ordinance, the Planning Division of the City of Chandler may institute an injunction or any other appropriate action in proceeding to prevent the use of such building, structure, or land.

Section 5. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, then this entire ordinance is invalid and shall have no force or effect.

Section 6. A violation of this Ordinance shall be a Class 1 misdemeanor subject to the enforcement and penalty provisions set forth in Section 1-8.3 of the Chandler City Code. Each day a violation continues, or the failure to perform any act or duty required by this Ordinance or the Zoning Code, shall constitute a separate offense.

INTRODUCED AND TENTATIVELY APPROVED by the City Council of the City of Chandler, Arizona, this 28 day of January, 2021.

ATTEST:

Dana R. DeLong
CITY CLERK

Kevin Harthe
MAYOR

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona, this 17~~th~~ day of FEBRUARY, 2021.

ATTEST:

Dana R. DeLong
CITY CLERK

Kevin Harthe
MAYOR

CERTIFICATION

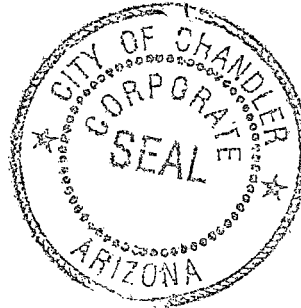
I HEREBY CERTIFY that the above and foregoing Ordinance No. 4955 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the 11 day of February, 2021, and that a quorum was present thereat.

Dana R. Adams
CITY CLERK

APPROVED AS TO FORM:

[Signature] for
CITY ATTORNEY TA

PUBLISHED in the Arizona Republic on February 26 and March 5, 2021.



REFERENCED EXHIBIT(S) AND/OR ATTACHMENT(S) ON FILE AT THE CITY CLERK'S OFFICE.