

ORDINANCE NO. 4943

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM AGRICULTURAL (AG-1) TO PLANNED AREA DEVELOPMENT (PAD) FOR MULTI-FAMILY RESIDENTIAL IN CASE PLH20-0032 (VILLAGE AT COLLEGE PARK) LOCATED SOUTH OF THE SOUTHEAST CORNER OF ELLIOT AND PRICE/101 ROADS WITHIN THE CORPORATE LIMITS OF THE CITY OF CHANDLER, ARIZONA; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR PENALTIES.

WHEREAS, an 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 the 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:

EXHIBIT 'A'

Said parcel is hereby rezoned from AG-1 to PAD for multi-family residential, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "Village at College Park" and kept on file in the City of Chandler Planning Division, in File No. PLH20-0032, 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. Multi-family dwelling units shall be permitted up to a maximum density of twelve (12) dwelling units per acre.

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. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
5. The rental agreement shall include a disclosure statement outlining that the site is adjacent to an existing agriculturally zoned property privileged to board horses located directly north of the subject property that may cause adverse noise, odors, and other externalities. The disclosure shall state that such uses are legal and should be expected to continue indefinitely. The disclosure shall be presented to prospective tenants clearly as part of the rental agreement. This responsibility for notice rests with the developer/property management company and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.

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 5 day of November, 2020.

ATTEST:

Dana R. DeLong
CITY CLERK

Kevin Hanko
MAYOR

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona, this 18 day of December, 2020.

ATTEST:

Dana R. DeLong
CITY CLERK

Kevin Hanko
MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 4943 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the 18 day of December, 2020, and that a quorum was present thereat.

Dana R. DeLong
CITY CLERK

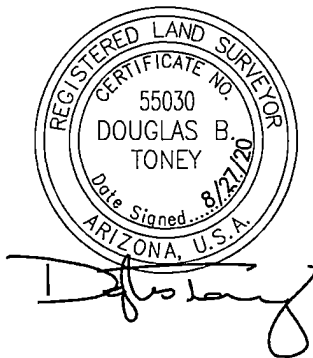
APPROVED AS TO FORM:

[Signature]
CITY ATTORNEY TA

Published in the Arizona Republic on December 18 and December 25, 2020.



August 27, 2020
Project # 050790-01-001



**LEGAL DESCRIPTION
ANNEXATION AREA**

A PORTION OF THE SOUTH HALF OF THE SOUTH HALF OF THE SOUTH HALF OF LOT ONE (1), SECTION EIGHTEEN (18), TOWNSHIP ONE (1) SOUTH, RANGE FIVE (5) EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, TOGETHER WITH A PORTION OF TRACT "D" OF CABALLOS RANCHITOS UNIT TWO, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF MARICOPA COUNTY IN BOOK 136 OF MAPS, PAGE 48;

SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 18, FROM WHICH POINT THE WEST QUARTER CORNER OF SAID SECTION 18 BEARS SOUTH 01°25'31" EAST, A DISTANCE OF 2636.22 FEET;

THENCE SOUTH 01°25'31" EAST, ALONG THE WEST LINE OF SAID SECTION 18, A DISTANCE OF 1153.35 FEET TO THE NORTH LINE OF THE SOUTH HALF OF THE SOUTH HALF OF THE SOUTH HALF OF SAID LOT 1;

THENCE NORTH 89°09'59" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 220.01 FEET TO THE EAST RIGHT-OF-WAY LINE OF THE PRICE ROAD SR101 FRONTAGE ROAD;

THENCE CONTINUING NORTH 89°09'59" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 977.05 FEET TO THE EAST LINE OF THE WEST 1197 FEET OF SAID LOT 1, SAID POINT BEING THE **POINT OF BEGINNING**;

THENCE CONTINUING NORTH 89°09'59" EAST, ALONG SAID NORTH LINE AND THE EASTERLY PROJECTION THEREOF, A DISTANCE OF 43.80 FEET TO THE EAST LINE OF SAID TRACT "D";

THENCE SOUTH 00°11'53" EAST, ALONG SAID EAST LINE, A DISTANCE OF 164.49 FEET TO THE EASTERLY PROJECTION OF THE SOUTH LINE OF THE SOUTH HALF OF THE SOUTH HALF OF THE SOUTH HALF OF SAID LOT 1;

THENCE SOUTH 89°09'12" WEST, ALONG SAID SOUTH LINE AND ITS EASTERLY PROJECTION, A DISTANCE OF 40.28 FEET TO THE EAST LINE OF THE WEST 1197 FEET OF SAID LOT 1;

THENCE NORTH 01°25'31" WEST, ALONG SAID EAST LINE, A DISTANCE OF 164.49 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 6,915 SQ.FT. OR 0.1587 ACRES, MORE OR LESS.