

**ORDINANCE NO. 4945**

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING PARCELS FROM PLANNED AREA DEVELOPMENT (PAD) TO PLANNED AREA DEVELOPMENT (PAD) FOR MULTI-FAMILY AS REPRESENTED IN CASE PLH20-0029 (UPTOWN COMMONS) LOCATED AT THE NORTHEAST CORNER OF ELLIOT ROAD AND ARIZONA AVENUE 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 (PAD) to Planned Area Development (PAD) for multi-family, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled, "Uptown Commons" and kept on file in the City of Chandler Planning Division, in File No. PLH20-0029, 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 Chandler City Council.
2. Multi-family dwelling units shall be permitted with a minimum density of thirty (30) dwelling units per acre.
3. Building heights shall be limited to a maximum of fifty (50) feet in height.

4. Minimum setbacks from current right-of-way lines shall be as provided below and further detailed in the development booklet:

Property Line Location	Minimum Building Setback
Arizona Avenue	15'
Elliot Road	30'
Washington Street	10'
North Property Line	0' for garage structures 10' for apartment structures

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.
6. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.

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. DeKey  
CITY CLERK

Kevin Hauke  
MAYOR

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona, this 7 day of December, 2020.

ATTEST:

Dana R. DeKey  
CITY CLERK

Kevin Hauke  
MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 4945 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the 7 day of December, 2020, and that a quorum was present thereat.

Dana R. DeKey  
CITY CLERK

APPROVED AS TO FORM:

[Signature]  
CITY ATTORNEY TA

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



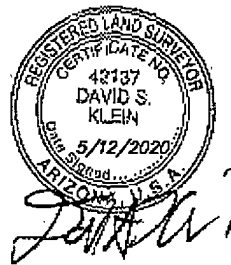
**EXHIBIT 'A'**

**DESCRIPTION OF PROPERTY  
AT 3015 N. ARIZONA AVENUE  
CHANDLER, AZ 85225**

LOT 3, POLLACK BUSINESS PARK NORTH, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, IN BOOK 762 OF MAPS, PAGE 45, AND A PORTION OF THE SURROUNDING RIGHT OF WAY, LYING WITHIN A PORTION OF THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 1 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A NAIL MARKING THE SOUTHWEST CORNER OF SAID SECTION 10, FROM WHICH A 3-INCH ARIZONA DEPARTMENT OF TRANSPORTATION BRASS CAP IN HANDHOLE AT THE INTERSECTION OF ARIZONA AVENUE AND CHILTON DRIVE BEARS NORTH 00 DEGREES 11 MINUTES 30 SECONDS WEST 1,493.75 FEET; THENCE NORTH 00 DEGREES 11 MINUTES 30 SECONDS WEST 635.54 FEET ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER TO THE WESTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 3; THENCE NORTH 89 DEGREES 48 MINUTES 30 SECONDS EAST 682.25 FEET ALONG SAID NORTH LINE TO THE CENTERLINE OF WASHINGTON STREET AND TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 600.00 FEET AND A CHORD BEARING OF SOUTH 02 DEGREES 44 MINUTES 36 SECONDS EAST; THENCE SOUTHERLY ALONG SAID CENTERLINE AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 05 DEGREES 01 MINUTE 22 SECONDS AN ARC LENGTH OF 52.60 FEET TO A 3-INCH CITY OF CHANDLER BRASS CAP FLUSH STAMPED 41076; THENCE SOUTH 00 DEGREES 13 MINUTES 55 SECONDS EAST 582.53 FEET CONTINUING ALONG SAID CENTERLINE TO A 3-INCH CITY OF CHANDLER BRASS CAP IN POT HOLE ON THE SOUTH LINE OF SAID SOUTHWEST QUARTER; THENCE SOUTH 89 DEGREES 46 MINUTES 05 SECONDS WEST 685.00 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING.

COMPRISING 9.986 ACRES OR 434,997 SQUARE FEET MORE OR LESS, SUBJECT TO ALL EASEMENTS OF RECORD.



 <b>SUPERIOR</b> SURVEYING SERVICES, INC.	2122 W. Lone Cactus Dr. Ste. 11, Phoenix, AZ 85027 623-869-0223 (office) 623-869-0726 (fax) <a href="http://www.superiorsurveying.com">www.superiorsurveying.com</a> <a href="mailto:info@superiorsurveying.com">info@superiorsurveying.com</a>
	DATE: 5/12/2020      JOB NO.: 202004043