

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ordinances or parts of ordinances in conflict with the provisions of this Ordinance, or any parts hereof, are hereby repealed.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 ____ day of _____, 2021.

ATTEST:

CITY CLERK

MAYOR

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona, this ____ day of _____, 2021.

ATTEST:

CITY CLERK

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 ____ day of _____, 2021, and that a quorum was present thereat.

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

TA

Published:

EXHIBIT 'A'**LEGAL DESCRIPTION
CONDO TRANSFER PARCEL**

THAT PORTION OF UNITS 24 THROUGH 30 AND OF THE COMMON ELEMENTS OF "VALERIO AT OCOTILLO CONDOMINIUM", ACCORDING TO BOOK 1475 OF MAPS, PAGE 17, OFFICIAL RECORDS OF MARICOPA COUNTY ARIZONA, LOCATED IN THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 2 SOUTH, RANGE 5 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID "VALERIO AT OCOTILLO CONDOMINIUM";

THENCE SOUTH 69°44'27" EAST, ALONG THE SOUTH LINE THEREOF, A DISTANCE OF 42.89 FEET TO THE **POINT OF BEGINNING**;

THENCE DEPARTING SAID SOUTH LINE, NORTH 85°00'00" EAST, A DISTANCE OF 69.39 FEET;

THENCE SOUTH 70°57'28" EAST, A DISTANCE OF 41.06 FEET;

THENCE NORTH 31°00'00" EAST, A DISTANCE OF 311.80 FEET TO THE EAST LINE OF SAID "VALERIO AT OCOTILLO CONDOMINIUM";

THENCE SOUTH 42°08'51" EAST, ALONG SAID EAST LINE, A DISTANCE OF 19.06 FEET;

THENCE NORTH 47°51'09" EAST, ALONG SAID EAST LINE, A DISTANCE OF 3.93 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT, CONCAVE SOUTHERLY AND HAVING A RADIUS OF 16.00 FEET;

THENCE SOUTHERLY ALONG SAID EAST LINE AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 90°05'37", AN ARC DISTANCE OF 25.16 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 42°03'14" EAST, ALONG SAID EAST LINE, A DISTANCE OF 48.97 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT, CONCAVE WESTERLY AND HAVING A RADIUS OF 16.00 FEET;

THENCE SOUTHERLY ALONG SAID EAST LINE AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 90°00'00", AN ARC DISTANCE OF 25.13 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 47°56'46" WEST, ALONG THE SOUTH LINE OF SAID "VALERIO AT OCOTILLO CONDOMINIUM", A DISTANCE OF 10.73 FEET

THENCE NORTH 42°03'14" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 6.48 FEET;

THENCE SOUTH 46°01'12" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 35.81 FEET;

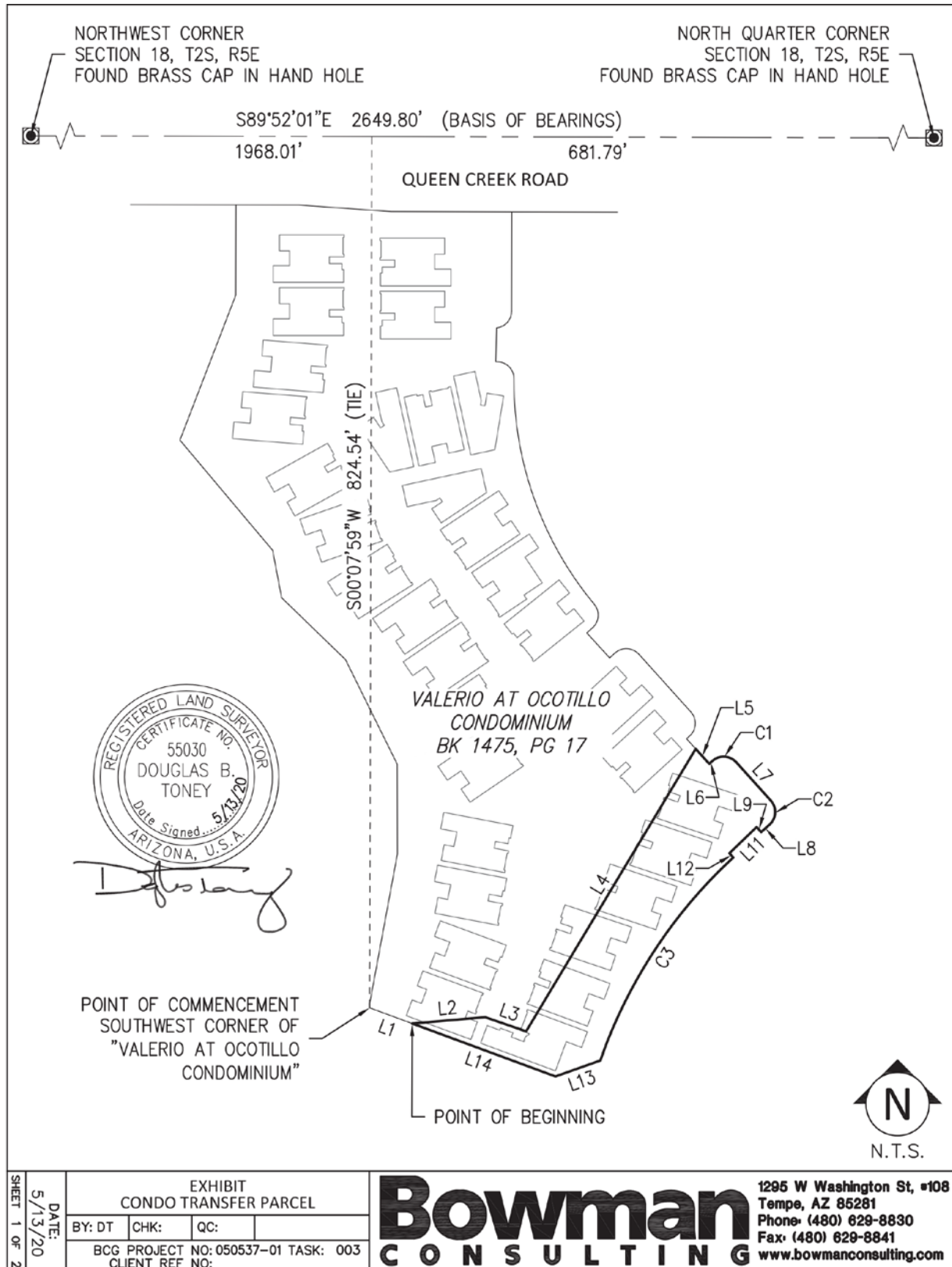
THENCE SOUTH 42°44'55" EAST, ALONG SAID SOUTH LINE, A DISTANCE OF 5.34 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT, CONCAVE SOUTHEASTERLY AND HAVING A RADIUS POINT WHICH BEARS SOUTH 42°44'55" EAST, A RADIAL DISTANCE OF 474.00 FEET;

THENCE WESTERLY ALONG SAID SOUTH LINE AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 28°02'58", AN ARC DISTANCE OF 232.05 FEET TO A POINT;

THENCE SOUTH 70°30'11" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 45.07 FEET;

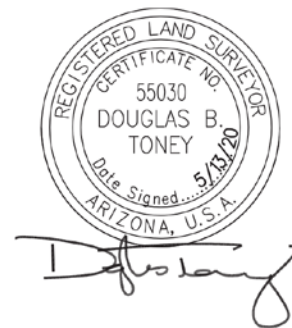
THENCE NORTH 69°44'27" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 144.61 FEET TO THE **POINT OF BEGINNING.**

CONTAINING 26,637 SQ.FT. OR 0.6115 ACRES, MORE OR LESS.



LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	42.89'	S69°44'27"E
L2	69.39'	N85°00'00"E
L3	41.06'	S70°57'28"E
L4	311.80'	N31°00'00"E
L5	19.06'	S42°08'51"E
L6	3.93'	N47°51'09"E
L7	48.97'	S42°03'14"E
L8	10.73'	S47°56'46"W
L9	6.48'	N42°03'14"W
L11	35.81'	S46°01'12"W
L12	5.34'	S42°44'55"E
L13	45.07'	S70°30'11"W
L14	144.61'	N69°44'27"W

CURVE TABLE			
CURVE #	LENGTH	RADIUS	DELTA
C1	25.16'	16.00'	090°05'37"
C2	25.13'	16.00'	090°00'00"
C3	232.05'	474.00'	028°02'58"



SHEET 2 OF 2

EXHIBIT CONDO TRANSFER PARCEL			
BY: DT	CHK:	QC:	
BCG PROJECT NO: 050537-01 TASK: 003 CLIENT REF NO:			

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