

ORDINANCE NO. 4982

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) FOR SINGLE-FAMILY RESIDENTIAL TO PAD AMENDED FOR SINGLE-FAMILY RESIDENTIAL AS SHOWN IN CASE PLH20-0003 (ARBOR SQUARE) LOCATED ½ MILE EAST AND 1/5 MILE NORTH OF THE INTERSECTION OF WARNER AND ALMA SCHOOL 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 the 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:

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Said property is hereby rezoned from Planned Area Development (PAD) for single-family residential to PAD Amended for single-family residential, subject to the following conditions:

1. Development shall be in substantial conformance with the conceptual plans included in the Development Booklet entitled "Arbor Square" and kept on file in the City of Chandler Planning Division in File No. PLH20-0003, 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 Chandler City Council.
2. Minimum setbacks shall be as follows:

Front	20' - Face of garage door to back of sidewalk
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	10' - Livable space to property line*
Side	5'
Rear*	Northern Lots 1-5: 20' to Enclosed Living Area 12' to Covered Patio Eastern Lots 6-10: 20' to Enclosed Living Area 12' to Covered Patio Interior Lots 11-16: 15' to Enclosed Living Area 8' to Covered Patio
*Where unforeseen and non-self-imposed issues may arise as part of initial site development, the Planning Administrator may administratively allow for up to a two-foot reduction to the stipulated setback.	

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 landscaping and all other improvements in all open-spaces shall be maintained by the property owner or property owners' association and shall be maintained at a level consistent with or better than at the time of planting.
6. The landscaping in all rights-of-way shall be maintained by the adjacent property owner or property owners' association.
7. The covenants, conditions, and restrictions (CC&R's) to be filed and recorded with the subdivision shall mandate the installation of front and rear yard landscaping within 180 days from the date of occupancy with the homeowners' association responsible for monitoring and enforcement of this requirement, and shall require the following:
 - a. Front yard landscaping shall include a minimum of two trees and shall be substantially as shown in "Exhibit N, Typical Front Yards," as included in the Development Booklet.
 - b. Perimeter lots 1-10 shall have a minimum of one tree planted in the rear yard. Said tree shall be a species that typically grows to at least 20 feet in height at

maturity and that provides sufficient canopy coverage and foliage to provide partial screening to adjacent properties.

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. 4982 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"

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Parcel No. 1:

That part of the Southwest quarter of the Southeast quarter of Section 16, Township 1 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

Commencing at the South quarter corner of said Section 16;

Thence South 89 degrees 56 minutes 40 seconds East, 331.11 feet to a point;

Thence North 00 degrees 00 minutes 49 seconds East, 1014.99 feet to the Point of Beginning;

Thence continuing North 00 degrees 00 minutes 49 seconds East, 315.01 feet to a point;

Thence North 89 degrees 52 minutes 20 seconds West, 331.47 feet to a point;

Thence South 00 degrees 00 minutes 00 seconds East, 332.63 feet to a point;

Thence South 89 degrees 52 minutes 40 seconds East 0.05 feet to a point of curvature of a curve to the left having a radius of 2834.79 feet and a central angle of 04 degrees 42 minutes 05 seconds;

Thence continuing Easterly along the arc of said curve, a distance of 232.61 feet to a point of tangency;

Thence North 85 degrees 28 minutes 35 seconds East, 99.23 feet to the Point of Beginning.

Parcel No. 2:

That part of the Southeast quarter of the Southwest quarter of Section 16, Township 1 South, Range 5 East of the Gila and Salt River Meridian, Maricopa County, Arizona, lying within the following described parcel;

Commencing at the Northeast corner of lot 20 of Paseo Villas, a subdivision recoded in Book 281 of Maps, Page 7, Maricopa county, Arizona records, said point being the True Point of Beginning per Final Act of Condemnation recorded in Document No. 1998-0033967, Maricopa County Records;

Thence, North 00 degrees 12 minutes 42 seconds East, a distance of 51.00 feet;

Thence, South 85 degrees 51 minutes 50 seconds East, a distance of 300.00 feet;

Thence South 89 degrees 52 minutes 40 seconds East, a distance of 178.67 feet to a point on the projected East line of Lot 14, Suntech Business Park of Chandler Amended Plat, as recorded in Book 286 of Maps, Page 45, Maricopa County Records, said point being the Point of Beginning;

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Thence North 00 degrees 00 minutes 00 seconds East along said East line, being the East line of the Southeast quarter of the Southwest quarter of said Section 16, as shown on said Suntech Business Park of Chandler Amended Plat, a distance of 30.00 feet to the Southwest corner of that parcel described in Document No. 2005-1492431, Maricopa County Records;

Thence Easterly along the South line of said parcel described in Document No. 2005-1492431, South 89 degrees 52 minutes 40 seconds East, a distance of 0.02 feet to a point of curvature (poc) of a curve concave Northerly having a radius of 2834.79 and a central angle of 04 degrees 42 minutes 05 seconds;

Thence Easterly along the arc of said curve, a distance of 232.61 feet to a point of tangency;

Thence, North 85 degrees 25 minutes 15 seconds East, a distance of 99.32 feet to a point on the West line of the Final Plat for Arbor Lane as recorded in Book 595 of Maps, Page 31, Maricopa County Records, said line being the West line of the East half of the West half of the Southwest quarter of the Southeast quarter as shown on said Final Plat for Arbor Lane said point also being the Southeast corner of that parcel described in Document No. 2005-1492431, Maricopa County Records;

Thence, South 00 degrees 00 minutes 49 seconds West along said West line, a distance of 30.01 feet to the North line of the property described in the Final Act of Condemnation recorded in Document No. 1998-0033967;

Thence, South 85 degrees 25 minutes 15 seconds West along said North line, a distance of 96.91 feet to the beginning of a curve to the right concentric and parallel to the last described curve and having a radius of 2864.79 feet and a central angle of 04 degrees 42 minutes 02 seconds;

Thence continuing Westerly along said North line and the arc of said curve, a distance of 235.03 feet to the Point of Beginning.