

ORDINANCE NO. 4997

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM SINGLE FAMILY (SF-8.5) TO PLANNED AREA DEVELOPMENT (PAD) FOR MEDIUM DENSITY RESIDENTIAL IN CASE PLH21-0039 (THE MARCO), LOCATED 250 FEET SOUTH OF FRYE ROAD ON THE EAST SIDE OF NEBRASKA STREET, AND APPROXIMATELY 1/3 MILE WEST OF THE INTERSECTION OF FRYE 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, 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, the City Council has considered the probable impact of this ordinance on the cost to construct housing for sale or rent; 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 SF-8.5 to PAD for medium density residential, subject to the following conditions:

1. Development of the overall site shall be in substantial conformance with the Development Booklet kept on file in the City of Chandler Planning Division, in File No. PLH21-0039, 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. 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.
3. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
4. Residential dwelling units shall be permitted with a maximum density of 12 dwelling units per acre.
5. Building setbacks shall be 25 (twenty-five) feet from all property lines.
6. The private and shared portions of the site shall be maintained in a clean and orderly manner. The buildings shall be maintained in a clean and orderly manner. Yards and balconies shall not be used for outdoor storage of residential items beyond furniture intended for outdoor use.
7. 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.
8. The landscaping in all rights-of-way shall be maintained by the adjacent property owner or property owners' association.

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. 4997 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:

THE EASTERLY 382.50 FEET OF THE NORTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 1 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT THE EASTERLY 82.50 FEET THEREOF; AND

EXCEPT THE SOUTHERLY 146.00 FEET THEREOF; AND

EXCEPT THE NORTHERLY 284.00 FEET THEREOF; AND

EXCEPT THE WESTERLY 33.00 FEET THEREOF; AND

EXCEPT THAT PORTION OF LAND AS CONVEYED IN QUIT-CLAIM DEED RECORDED APRIL 18, 2018 IN RECORDING NO. 20180292477, RECORDS OF MARICOPA COUNTY, ARIZONA; AND

EXCEPT THAT PORTION OF LAND AS CONVEYED IN QUIT-CLAIM DEED RECORDED APRIL 18, 2018 IN RECORDING NO. 20180292478, RECORDS OF MARICOPA COUNTY, ARIZONA; AND

EXCEPT THAT PORTION OF LAND AS CONVEYED IN QUIT-CLAIM DEED RECORDED APRIL 18, 2018 IN RECORDING NO. 20180292479, RECORDS OF MARICOPA COUNTY, ARIZONA; AND

EXCEPT THAT PORTION OF LAND AS CONVEYED IN QUIT-CLAIM DEED RECORDED APRIL 18, 2018 IN RECORDING NO. 20180292480, RECORDS OF MARICOPA COUNTY, ARIZONA; AND

EXCEPT THAT PORTION OF LAND AS CONVEYED IN QUIT-CLAIM DEED RECORDED APRIL 18, 2018 IN RECORDING NO. 20180292481, RECORDS OF MARICOPA COUNTY, ARIZONA.

CONTAINING: 1.357 AC (59,123 SQ. FT.) MORE OR LESS