

ORDINANCE NO. 5019

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM REGIONAL COMMERCIAL (C-3) DISTRICT TO PLANNED AREA DEVELOPMENT (PAD) FOR MULTI-FAMILY RESIDENTIAL WITH MID-RISE OVERLAY ALLOWING HEIGHTS UP TO SIXTY (60) FEET IN CASE PLH21-0094 (ALTA UPTOWN) LOCATED AT THE SOUTHEAST CORNER OF ARIZONA AVENUE AND CORPORATE PLACE 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 Regional Commercial (C-3) district to PAD for multi-family residential, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled, "Alta Uptown" and kept on file in the City of Chandler Planning Division, in File No. PLH21-0094, 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. High density residential shall be permitted up to a maximum density of forty-five (45) dwelling units per acre.
3. Building heights shall be limited to a maximum of sixty (60) feet in height.
4. 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.
5. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan. An additional eight feet of right-of-way shall be added along Arizona Avenue to accommodate the ten-foot multi-modal detached sidewalk.
6. The landscaping 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.
7. The landscaping in all rights-of-way shall be maintained by the adjacent property owner or property owners' association.
8. Minimum building setbacks shall be as follows:

Property Line Location	Minimum Building Setback
Arizona Avenue	20 ft. for multi-family building and 5 ft. for a shade structure/accent feature
Corporate Place	20 ft. for multi-family building and 5 ft. for a shade structure
East	30 feet
South	20 feet

9. The developer shall be responsible for the construction of a ten-foot multi-modal detached sidewalk and all associated improvements along Arizona Avenue during the initial phase of construction. All work must be designed and completed in substantial conformance with the diagram attached to this Ordinance as Exhibit B, and subject to approval by the City Engineer.

- 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 _____, 2022.

ATTEST:

CITY CLERK

MAYOR

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona, this ____ day of _____, 2022.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 5019 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the ____ day of _____, 2022, and that a quorum was present thereat.

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY TA

Published:

“Exhibit A”

Job No. 21-0690

10/25/2021

A portion of the Southwest Quarter of Section 15, Township 1 South, Range 5 East of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at the Southwest Corner of said Section 15, being marked by a 1/2" rebar in handhole, from which the West Quarter Corner of said Section 15, being marked by a 3" Arizona Department of Transportation aluminum cap flush bears North 0 degrees 06 minutes 52 seconds West, 2654.15 feet;

thence along the West line of said Southwest Quarter, North 0 degrees 06 minutes 52 seconds West, 1631.03 feet;

thence along a line 1631.00 feet North of and parallel with the South line of said Southwest Quarter, North 89 degrees 33 minutes 47 seconds East, 55.00 feet to the **POINT OF BEGINNING**;

thence along the East right-of-way of Arizona Avenue and also along a line 55.00 feet East of and parallel with said West line, North 0 degrees 06 minutes 52 seconds West, 391.01 feet;

thence along the South right-of-way of Corporate Place and also along a line 2022.00 feet North of and parallel with the South line of said Southwest Quarter, North 89 degrees 33 minutes 47 seconds East, 1000.02 feet;

thence along the West boundary of that Final Plat of 'Westech Corporate Center Phase 1' recorded in Book 574, Page 24 of Maricopa County Records and also along the West boundary of 'Biscayne Bay Apartments' recorded in Book 513, Page 23 of Maricopa County Records and also along a line 1055.00 feet East of and parallel with the West line of said Southwest Quarter, South 0 degrees 06 minutes 52 seconds East, 502.01 feet;

thence along a line 1520.00 feet North of and parallel with the South line of said Southwest Quarter, South 89 degrees 33 minutes 47 seconds West, 544.40 feet;

thence North 0 degrees 26 minutes 13 seconds West, 111.00 feet;

thence along a line 1631.00 feet North of and parallel with the South line of said Southwest Quarter, South 89 degrees 33 minutes 47 seconds West, 455.00 feet to the **POINT OF BEGINNING**.

Contains 451,469 square feet or 10.3643 acres, more or less.



“Exhibit B”

