

ORDINANCE NO. 3691

OFFICIAL FILE COPY
CITY OF CHANDLER
CITY CLERK

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM AGRICULTURAL DISTRICT (AG-1), COMMUNITY COMMERCIAL DISTRICT (C-2) AND HIGH-DENSITY RESIDENTIAL DISTRICT (MF-3) TO PLANNED AREA DEVELOPMENT (PAD) (DVR04-0049 QUIKTRIP – CHANDLER BLVD. & MCQUEEN ROAD) LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF CHANDLER, ARIZONA.

WHEREAS, application for rezoning involving 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 I. Legal Description of Property:

See Attachment 'A'

Said parcel is hereby rezoned from Agricultural District (AG-1), Community Commercial District (C-2) and High-Density Residential District (MF-3) to Planned Area Development (PAD), subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "QUIKTRIP-CHANDLER BLVD. & MCQUEEN ROAD" kept on file in the City of Chandler Current Planning Division, in file number DVR04-0049, except as modified by condition herein.
2. Right-of-way dedications to achieve full half widths for Chandler Boulevard and McQueen Road, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
3. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual # 4).
4. The landscaping in all open spaces and rights-of-way shall be maintained by the adjacent property owner or property owners association.

5. Approval by the Director of Planning and Development of plans for landscaping (open spaces and rights-of-way) and perimeter walls.
6. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
7. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.
8. Completion of the construction, where applicable, 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.
9. Building mounted signage facing adjacent residential homes shall be non-illuminated.
10. The monument sign's sign panels shall have an integrated or decorative cover panel until a tenant name is added to the sign.
11. Late hour business occupancies as defined by policy (Resolution No. 3801) shall be prohibited, with the exception of the Quiktrip convenience store and re-fueling facility.
12. Perimeter landscaping shall be installed in Stage I, as outlined in the development booklet, with the balance of the property south of the refueling facility improved with decomposed granite.
13. Along the south property line, drive-through uses are not permitted unless specifically approved through a separate future Preliminary Development Plan.
14. The applicant shall work with Staff to incorporate steel trellis features on the North, South and West facades of the convenience store.

SECTION II. Except where provided, nothing contained herein shall be construed to be and abridgment of any other ordinance of the City of Chandler.

SECTION III. The Planning & Development Department 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.

INTRODUCED AND TENTATIVELY APPROVED by the City Council this 26th day of May 2005.

ATTEST:

Marla Padgett
CITY CLERK

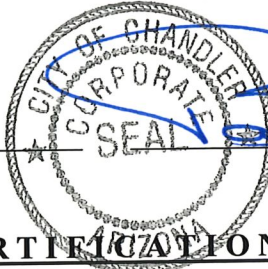


[Signature]
MAYOR

PASSED AND ADOPTED by the City Council this 9th day of June 2005.

ATTEST:

Marla Padgett
CITY CLERK



[Signature]
MAYOR

CERTIFICATION

I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 3691 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the 9th day of June 2005, and that a quorum was present thereat.

Marla Padgett
CITY CLERK

APPROVED AS TO FORM:

Dennis M. O'Neill
CITY ATTORNEY

Published in the Tribune on June 15 & 22, 2005

ORDINANCE NO. 3691
ATTACHMENT 'A'

Legal Description
QT#450 Rezoning Area

A portion of land situated in the Northwest Quarter of Section 35, Township 1 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

COMMENCING at a Brass Cap in Handhole at the Northwest corner of said Section 35, from which a Brass Cap in Handhole at the West Quarter Corner of said Section 35 bears South 00 degrees 24 minutes 57 seconds West, a distance of 2641.41 feet;

Thence South 00 degrees 24 minutes 57 seconds West, along the West line of said Northwest Quarter, a distance of 93.33 feet

Thence South 89 degrees 35 minutes 03 seconds East, a distance of 75.00 feet to the Easterly Right of Way of McQueen Road to the POINT OF BEGINNING;

Thence North 44 degrees 46 minutes 08 seconds East, a distance of 28.61 feet to the South Right of Way of Chandler Boulevard;

Thence along said South Right of Way on the following three (3) courses:

North 89 degrees 07 minutes 20 seconds East, a distance of 233.86 feet;

Thence North 00 degrees 23 minutes 50 seconds East, a distance of 10.00 feet;

Thence North 89 degrees 07 minutes 20 seconds East, a distance of 328.87 feet;

Thence South 00 degrees 22 minutes 42 seconds West, a distance of 595.86 feet to the South line of the Northwest Quarter of the Northwest Quarter of the Northwest Quarter of said Section 35;

Thence South 89 degrees 10 minutes 07 seconds West, along said South line a distance of 593.11 feet to the East Right of Way of McQueen Road;

Thence along said East Right of Way on the following three (3) courses:

North 00 degrees 24 minutes 57 seconds East, a distance of 258.91 feet;

Thence South 89 degrees 35 minutes 03 seconds East, a distance of 10.00 feet;

Any modification to or omission from this description completely
absolves the surveyor from any liability for this description.

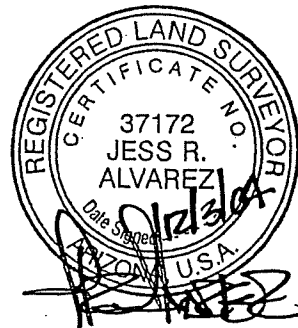
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Attachment "A"

Thence North 00 degrees 24 minutes 57 seconds East, a distance of 306.70 feet to the POINT OF BEGINNING.

Net Area: 346,970 square feet or 7.965 acres, more or less

Gross Area: 434,525 square feet or 9.975 acres, more or less

See Exhibit "A" attached hereto and made a part hereof.



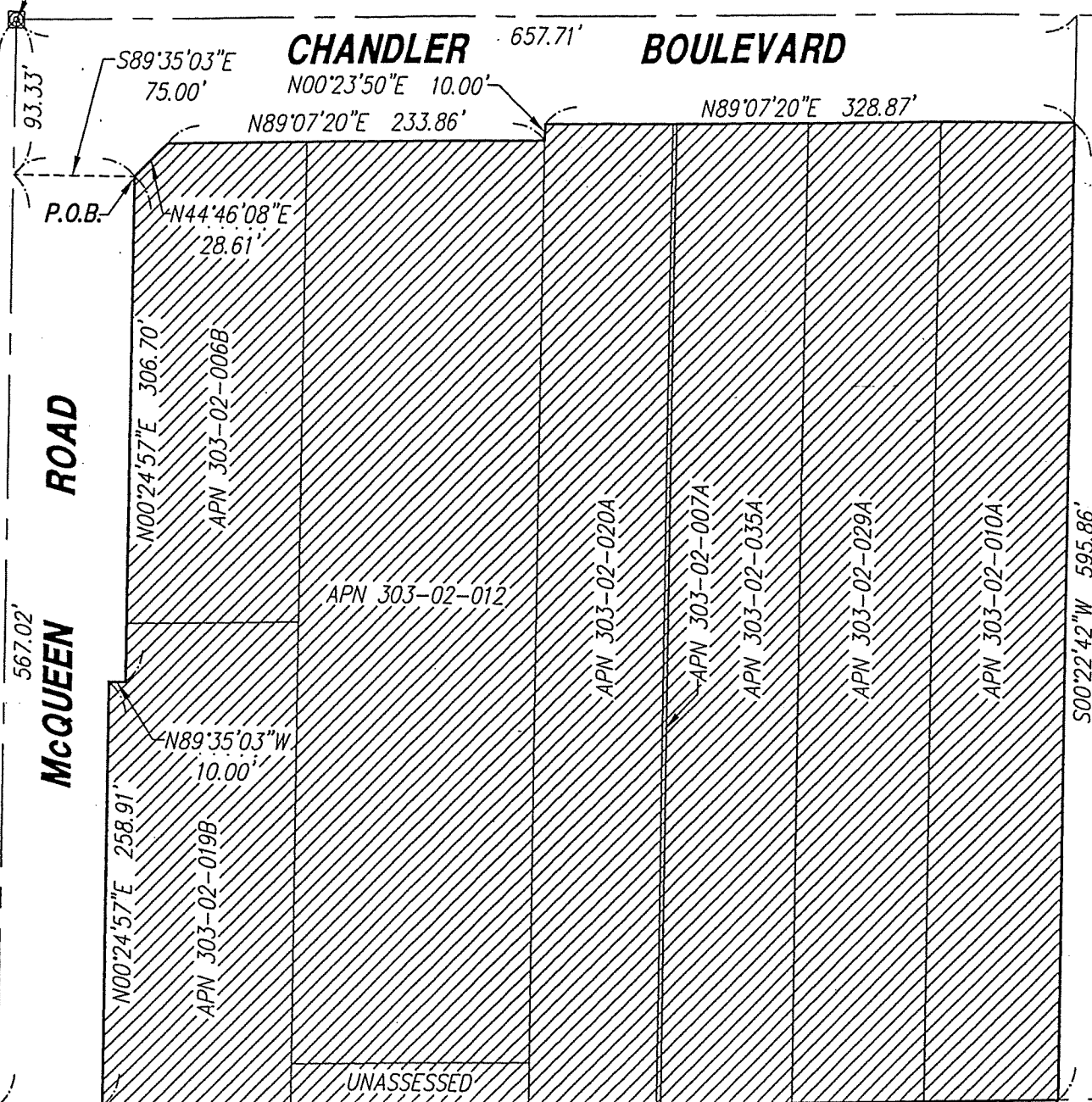
Any modification to or omission from this description completely
absolves the surveyor from any liability for this description.

EXHIBIT 'A'

NORTHWEST CORNER OF SECTION 35,
T.1S, R.5E, G.&S.R. B.&M.
FOUND BRASS CAP IN HAND HOLE

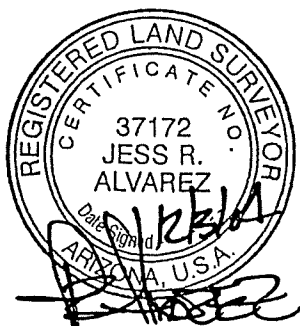
N1/4 CORNER SECTION 35
FOUND BRASS CAP IN HANDHOLE

N89°07'20"E 2630.83'



WEST 1/4 CORNER OF SECTION 35
FOUND BRASS CAP IN HANDHOLE

SOUTH LINE OF THE
NORTHWEST QUARTER OF THE
NORTHWEST QUARTER OF THE
NORTHWEST QUARTER OF SECTION 35



SCALE: 1"=100'

LANDMARK
ENGINEERING INC

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