

ORDINANCE NO. 5027

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 NEIGHBORHOOD COMMERCIAL (C-1) TO PAD FOR C-1 AND MOTOR VEHICLE REPAIRS IN CASE PLH21-0095 (BRAKE MASTERS AT MESQUITE GROVE) LOCATED AT NORTHEAST CORNER OF RIGGS AND GILBERT 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, 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 PAD for C-1 to PAD for C-1 and motor vehicle repairs, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet entitled "Brake Masters at Mesquite Grove" and kept on file in the City of Chandler Planning Division, in File No. PLH21-0095, 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. Compliance with original conditions adopted by the City Council as Ordinance No. 3024 in case PL99-035 except as modified by condition herein.
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. 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.
5. The landscaping in all rights-of-way shall be maintained by the adjacent property owner or property owners' association.
6. The developer shall be required to install landscaping in the arterial street median(s) adjoining this project. In the event that the landscaping already exists within such median(s) the developer shall be required to upgrade such landscaping to meet current City Standards.
7. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
8. The motor vehicle repair uses are limited to the approximately 1-acre parcel on Riggs Road.

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. 5027 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
Legal Description

"A PORTION OF LOT 1B2 OF "MEQUITE GROVE MCDONALDS" A MINOR LAND DIVISION AS RECORDED IN BOOK 1574 OF MAPS, PAGE 4, RECORDS OF MARICOPA COUNTY, ARIZONA;

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 1B2;
THENCE ALONG THE SOUTH LINE OF SAID LOT 1B2, NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 116.00 FEET;
THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 362.08 FEET TO THE NORTH LINE OF SAID LOT 1B2;
THENCE CONTINUING ALONG SAID NORTH LINE, NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 127.35 FEET TO THE NORTHEAST CORNER OF SAID LOT 1B2;
THENCE ALONG THE EAST LINE OF SAID LOT 1B2, SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 268.07 FEET;
THENCE CONTINUING ALONG SAID EAST LINE, NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 11.35 FEET;
THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 94.01 FEET TO THE POINT OF BEGINNING."