

ORDINANCE NO. 5041

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 ASSISTED LIVING TO PAD FOR GENERAL OFFICE AND MEDICAL OFFICE IN CASE PLH22-0006 (AVENIR) LOCATED ON THE NORTHWEST CORNER OF PECOS ROAD AND PENNINGTON DRIVE, APPROXIMATELY 1/4 MILE EAST OF DOBSON ROAD 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:

EXHIBIT 'A'

Said parcel is hereby rezoned from PAD for assisted living to PAD for general office and medical office, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "Avenir" and kept on file in the City of Chandler Planning Division, in File No. PLH22-0006, 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 the 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. 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.
4. The landscaping in all right-of-way shall maintained by the adjacent property owner or property owners' association
5. 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.
6. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.

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 _____, 2023.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 5041 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the ____ day of _____, 2023, and that a quorum was present thereat.

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

TA

Published:

“Exhibit A”

Legal Description
APN 303-63-310

LOT 1, PALMS RESORT RETIREMENT COMMUNITY,
MINOR LAND DIVISION, AS RECORDED IN BOOK
1066 OF MAPS, PAGE 26, RECORDS OF MARICOPA
COUNTY, ARIZONA.

PARCEL NO. 1

COMMENCING at the Southwest corner of Section 32, Township 1 South, Range 5 East of the
Gila and Salt River Base and Meridian, Maricopa County, Arizona;
Thence North 89 degrees 49 minutes 29 seconds East, along the South line of said Section 32, a distance of
743.70 feet to a point;

Thence North 00 degrees 01 minutes 32 seconds East. 33.00 feet to the TRUE POINT OF
BEGINNING;

Thence North 00 degrees 01 minutes 32 seconds East, a distance of 232.00 feet

Thence North 40 degrees 01 minutes 32 seconds East, a distance of 152.09 feet

Thence South 89 degrees 58 minutes 28 seconds East, a distance of 168.22 feet;

Thence North 00 degrees 01 minutes 32 seconds West, a distance of 232.00 feet

Thence North 89 degrees 58 minutes 28 seconds West, a distance of 40.00 feet

Thence North 44 degrees 58 minutes 28 seconds West, a distance of 28.28 feet

Thence North 00 degrees 01 minutes 32 seconds East, a distance of 110.00 feet

Thence North 89 degrees 54 minutes 19 seconds East, a distance of 371.58 feet

Thence South 00 degrees 00 minutes 53 seconds West, a distance of 409.37 feet (measured),
409.30 feet (record) to a point on the Northeast corner of property described in Document No.

2003-1608392, records of Maricopa County, Arizona;

Thence along the North line of above mentioned property, South 89 degrees 49 minutes 29
seconds West, a distance of 300.00 feet to the Northwest corner of property described in above
said document;

Thence along the West line of above mentioned property, South 00 degrees 00 minutes 53
seconds West, a distance of 300.00 feet to the North right-of-way line of Pecos Road;

Thence South 89 degrees 49 minutes 29 seconds West, a distance of 277.70 feet along said North
right-of-way line to the TRUE POINT OF BEGINNING.

EXCEPT that portion conveyed to the City of Chandler, on Arizona municipal Corporation in General Warranty
Deed recorded in Document No. 2003-869630, Maricopa County Records, described as follows:

The North 32.00 feet of the South 65.00 feet of thereof.