

ORDINANCE NO. 5056

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 DOG DAYCARE, BOARDING, GROOMING, TRAINING, AND RELATED USES TO PLANNED AREA DEVELOPMENT (PAD) MULTI-FAMILY RESIDENTIAL IN CASE PLH22-0034 (THE WAYNE) LOCATED ONE-QUARTER MILE SOUTH OF THE SOUTHEAST CORNER OF DOBSON AND WARNER 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 dog daycare, boarding, grooming, training, and related uses to PAD for multi-family residential, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "The Wayne" and kept on file in the City of Chandler Planning Division, in File No. PLH22-0034, 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. Multiple family residential shall be permitted at a maximum density of 16 dwelling units per acre.
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. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
5. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual #4).
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 setbacks shall be as provided below and further detailed in the Development Booklet:

Property Line	Building Setback
West (Dobson Road)	46 feet for building; 16 feet for fencing
North	15 feet
East	15 feet
South	15 feet

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 _____, 2023.

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. 5056 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

PARCEL NO. 1:

ALL THAT PART OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 1 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 20;

THENCE SOUTH 00 DEGREES 42 MINUTES 00 SECONDS EAST ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 20 A DISTANCE OF 1450.84 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 89 DEGREES 18 MINUTES 00 SECONDS EAST ALONG A LINE COINCIDENT WITH THE SOUTHERLY BOUNDARY OF THE PARCEL CONVEYED TO SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT AND POWER DISTRICT IN A DEED RECORDED IN DOCKET 9561, PAGE 320 A DISTANCE OF 550.00 FEET;

THENCE SOUTH 00 DEGREES 40 MINUTES 10 SECONDS WEST A DISTANCE OF 309.94 FEET TO A POINT ON THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 20;

THENCE NORTH 89 DEGREES 39 MINUTES 50 SECONDS WEST A DISTANCE OF 549.93 FEET TO A POINT ON THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 20;

THENCE NORTH 00 DEGREES 42 MINUTES 00 SECONDS WEST ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 20 A DISTANCE OF 300.00 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPT THAT PROPERTY AS SET FORTH IN THE ORDER OF IMMEDIATE POSSESSION RECORDED JANUARY 05, 1982 IN DOCKET 15743, PAGE 576.

PARCEL NO. 2:

THAT PART OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 1 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE WEST LINE OF THE SAID NORTHWEST QUARTER, FROM WHICH THE NORTHWEST CORNER THEREOF BEARS NORTH 00 DEGREES 42 MINUTES 00 SECONDS WEST 1250.84 FEET;

THENCE NORTH 89 DEGREES 18 MINUTES 00 SECONDS EAST PERPENDICULAR TO THE SAID WEST LINE A DISTANCE OF 550.0 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING NORTH 89 DEGREES 18 MINUTES 00 SECONDS EAST 150.00 FEET;

THENCE SOUTH 00 DEGREES 42 MINUTES 00 SECONDS EAST PARALLEL TO THE SAID WEST LINE, A DISTANCE OF 509.95 FEET;

THENCE SOUTH 89 DEGREES 18 MINUTES 00 SECONDS WEST PERPENDICULAR TO THE SAID WEST LINE 150.00 FEET;

THENCE NORTH 00 DEGREES 42 MINUTES 00 SECONDS WEST PARALLEL TO THE SAID WEST LINE 509.95 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPT ANY PART LYING WITHIN THAT PART OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 1 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

FROM THE NORTHWEST CORNER OF THE SAID NORTHWEST QUARTER SECTION 20 MEASURE THENCE NORTH 89 DEGREES 37 MINUTES 39 SECONDS EAST ALONG THE NORTH LINE OF THE SAID NORTHWEST QUARTER, SECTION 20, A DISTANCE OF 914.05 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING NORTH 89 DEGREES 37 MINUTES 39 SECONDS EAST, ALONG THE SAID NORTH LINE, A DISTANCE OF 1072.57 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE SAID SECTION 20;

THENCE SOUTH 00 DEGREES 36 MINUTES 29 SECONDS EAST, A DISTANCE OF 661.15 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE SAID SECTION 20;

THENCE NORTH 89 DEGREES 35 MINUTES 04 SECONDS EAST, A DISTANCE OF 330.93 FEET TO THE NORTHWEST CORNER OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 20;

THENCE SOUTH 00 DEGREES 35 MINUTES 34 SECONDS EAST, 660.90 FEET TO THE SOUTHWEST CORNER OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 20;

THENCE NORTH 89 DEGREES 32 MINUTES 29 SECONDS EAST, A DISTANCE OF 330.75 FEET TO THE SOUTHEAST CORNER OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 20;

THENCE SOUTH 00 DEGREES 34 MINUTES 39 SECONDS EAST, ALONG THE EAST LINE OF THE SAID NORTHWEST QUARTER OF SECTION 20, A DISTANCE OF 1321.30 FEET TO THE SOUTHEAST CORNER OF THE SAID NORTHWEST QUARTER OF SECTION 20;

THENCE SOUTH 89 DEGREES 27 MINUTES 19 SECONDS WEST, ALONG THE SOUTH LINE OF THE SAID NORTHWEST QUARTER OF SECTION 20, A DISTANCE OF 2343.14 FEET TO A POINT WHICH BEARS NORTH 89 DEGREES 27 MINUTES 19 SECONDS EAST, 300.00 FEET FROM THE SOUTHWEST CORNER OF THE SAID NORTHWEST QUARTER OF SECTION 20;

THENCE NORTH 00 DEGREES 42 MINUTES 00 SECONDS WEST, PARALLEL TO THE WEST LINE OF SAID NORTHWEST QUARTER OF SECTION 20, A DISTANCE OF 300.00 FEET;

THENCE SOUTH 89 DEGREES 27 MINUTES 19 SECONDS WEST, PARALLEL TO THE SOUTH LINE OF THE SAID NORTHWEST QUARTER OF SECTION 20, A DISTANCE OF 300.00 FEET TO A POINT ON THE SAID WEST LINE OF THE NORTHWEST QUARTER OF SECTION 20;

THENCE NORTH 00 DEGREES 42 MINUTES 00 SECONDS WEST, ALONG THE WEST LINE OF THE SAID NORTHWEST QUARTER OF SECTION 20, A DISTANCE OF 599.74 FEET TO A POINT WHICH BEARS SOUTH 00 DEGREES 42 MINUTES 00 SECONDS EAST, 1750.84 FEET FROM THE NORTHWEST CORNER OF THE SAID NORTHWEST QUARTER OF SECTION 20;

THENCE SOUTH 89 DEGREES 39 MINUTES 52 SECONDS EAST, 549.93 FEET;

THENCE SOUTH 89 DEGREES 18 MINUTES 00 SECONDS EAST, 150.16 FEET;

THENCE NORTH 00 DEGREES 42 MINUTES 00 SECONDS WEST, 509.94 FEET TO A POINT ON A PERPENDICULAR LINE TO THE SAID WEST LINE OF THE NORTHWEST QUARTER OF SECTION 20, SAID POINT

BEING SOUTHERLY 1250.84 FEET AND EASTERLY 700.00 FEET FROM THE NORTHWEST CORNER OF THE SAID NORTHWEST QUARTER OF SECTION 20;

THENCE SOUTH 89 DEGREES 18 MINUTES 00 SECONDS WEST, ALONG THE SAID PERPENDICULAR LINE, A DISTANCE OF 150.00 FEET;

THENCE NORTH 22 DEGREES 27 MINUTES 39 SECONDS EAST, 919.75 FEET;

THENCE NORTH 00 DEGREES 22 MINUTES 21 SECONDS WEST ON A PERPENDICULAR LINE TO THE NORTH LINE OF THE SAID NORTHWEST QUARTER OF SECTION 20, A DISTANCE OF 400.00 FEET TO THE POINT OF BEGINNING;

AND EXCEPT ANY PART LYING WITHIN THAT PART OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 1 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 20;

THENCE SOUTH (ASSUMED BEARING) ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 20, A DISTANCE OF 1450.94 FEET TO THE TRUE POINT OF BEGINNING;

THENCE EAST, ALONG A LINE COINCIDENT WITH THE SOUTHERLY BOUNDARY OF THE PARCEL CONVEYED TO SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT AND POWER DISTRICT IN A DEED RECORDED IN DOCKET 9561, PAGE 320, RECORDS OF MARICOPA COUNTY, ARIZONA, A DISTANCE OF 550.00 FEET;

THENCE SOUTH 00 DEGREES 01 MINUTE 50 SECONDS WEST A DISTANCE OF 309.94 FEET;

THENCE NORTH 80 DEGREES 57 MINUTES 50 SECONDS WEST A DISTANCE OF 549.93 FEET TO A POINT ON THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 20;

THENCE NORTH ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 20, A DISTANCE OF 300.00 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL NO. 3:

THAT PART OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 1 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 20, FROM WHICH THE NORTHWEST CORNER THEREOF BEARS NORTH 00 DEGREES 42 MINUTES 00 SECONDS WEST 1250.84 FEET;

THENCE NORTH 89 DEGREES 18 MINUTES 00 SECONDS EAST, PERPENDICULAR TO SAID WEST LINE, A DISTANCE OF 285.00 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING NORTH 89 DEGREES 18 MINUTES 00 SECONDS EAST, 265.00 FEET;

THENCE SOUTH 00 DEGREES 42 MINUTES 00 SECONDS EAST, PARALLEL TO THE WEST LINE OF SAID NORTHWEST QUARTER, 200.00 FEET;

THENCE SOUTH 89 DEGREES 18 MINUTES 00 SECONDS WEST, 265.00 FEET TO A POINT WHICH IS 285.00 FEET PERPENDICULAR TO WEST LINE OF SAID NORTHWEST QUARTER;

THENCE NORTH 00 DEGREES 42 MINUTES 00 SECONDS WEST PARALLEL TO WEST LINE OF SAID NORTHWEST QUARTER, 200.00 FEET TO THE POINT OF BEGINNING.

ALSO KNOWN AS:

LOT 1, OF A MINOR LAND DIVISION, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 1210 OF MAPS, PAGE 49.