

ORDINANCE NO. 5068

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO BY REZONING PARCELS FROM PLANNED AREA DEVELOPMENT (PAD) FOR COMMERCIAL TO PAD FOR MULTI-FAMILY RESIDENTIAL AND COMMERCIAL AS SHOWN IN CASE PLH22-0044 (CHANDLER FARMS) GENERALLY LOCATED AT THE SOUTHEAST CORNER OF ARIZONA AVENUE AND QUEEN CREEK 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 the 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 Planned Area Development (PAD) for commercial to PAD for multi-family residential and commercial, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "Chandler Farms," and kept on file in the City of Chandler Planning Division, in File No. PLH22-0044, 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 24 dwelling units per acre.
3. Uses permitted within the commercial buildings shall be limited to retail, restaurants, and personal services, except the following uses shall be prohibited: tattoo and body piercing parlors, dry cleaners and laundromats, and sexually oriented businesses.
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. 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.
6. The landscaping in all rights-of-way shall be maintained by the adjacent property owner or property owners' association.
7. Minimum building setbacks shall be as provided below and further detailed in the development booklet:

Property Line	Building Setback
North (Queen Creek Rd.)	50 feet at commercial, and 165 feet at multi-family
East (Arizona Ave.)	50 feet at commercial, and 100 feet at multi-family
West	95 feet at multi-family adjacent to existing single-family, and 80 feet at multi-family adjacent to existing multi-family
South	10 feet at multi-family adjacent to existing multi-family

8. 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 _____, 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. 5068 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 in the Arizona Republic on:

EXHIBIT "A"

LEGAL DESCRIPTION – CHANDLER FARMS

**LEGAL DESCRIPTION
MILL CROSSING
CHANDLER, ARIZONA**

June 22, 2022
Job No. P6247
Page 1 of 1

A PORTION OF LOT 3 OF "CHANDLER CENTER AT DOBSON CROSSING" AS RECORDED IN BOOK 1082 OF MAPS, PAGE 7, RECORDS OF MARICOPA COUNTY, ARIZONA, LOCATED IN THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT NORTHEAST CORNER OF SAID SECTION 16, FROM WHICH THE NORTH QUARTER CORNER OF SAID SECTION 16 BEARS NORTH 89 DEGREES 48 MINUTES 25 SECONDS WEST, A DISTANCE OF 2631.58 FEET;

THENCE ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION SOUTH 00 DEGREES 49 MINUTES 38 SECONDS WEST, A DISTANCE OF 1,316.72 FEET;

THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 124.95 FEET;

THENCE FOLLOWING SAID LOT 3 NORTH 0 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 54.23 FEET;

THENCE SOUTH 89 DEGREES 55 MINUTES 17 SECONDS WEST, A DISTANCE OF 32.87 FEET;

THENCE NORTH 0 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 57.20 FEET;

THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 52.16 FEET;

THENCE NORTH 22 DEGREES 53 MINUTES 08 SECONDS WEST, A DISTANCE OF 113.07 FEET;

THENCE NORTH 0 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 155.98 FEET;

THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 216.74 FEET;

THENCE SOUTH 45 DEGREES 43 MINUTES 06 SECONDS WEST, A DISTANCE OF 114.53 FEET;

THENCE NORTH 44 DEGREES 38 MINUTES 18 SECONDS WEST, A DISTANCE OF 248.96 FEET;

THENCE NORTH 0 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 75.53 FEET;

THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 23.49 FEET;

THENCE NORTH 0 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 123.28 FEET;

THENCE NORTH 89 DEGREES 52 MINUTES 52 SECONDS EAST, A DISTANCE OF 10.00 FEET TO THE SOUTHEAST CORNER OF "FINAL PLAT HAMILTON HEIGHTS" AS RECORDED IN BOOK 1126 OF MAPS, PAGE 15, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE ALONG THE EAST LINE OF SAID PLAT NORTH 0 DEGREES 00 MINUTES 02 SECONDS EAST, A DISTANCE OF 651.60 FEET TO THE NORTH LINE OF SAID NORTHEAST QUARTER;

THENCE ALONG SAID NORTH LINE SOUTH 89 DEGREES 48 MINUTES 25 SECONDS EAST, A DISTANCE OF 760.11 FEET TO THE **POINT OF BEGINNING**.

SAID PARCEL CONTAINS 794,109 SQUARE FEET OR 18.230 ACRES, MORE OR LESS.



THENCE NORTH 89 DEGREES 52 MINUTES 52 SECONDS EAST, A DISTANCE OF 10.00 FEET TO THE SOUTHEAST CORNER OF "FINAL PLAT HAMILTON HEIGHTS" AS RECORDED IN BOOK 1126 OF MAPS, PAGE 15, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE ALONG THE EAST LINE OF SAID PLAT NORTH 00 DEGREES 00 MINUTES 02 SECONDS EAST, A DISTANCE OF 571.60 FEET TO THE **POINT OF BEGINNING**.

SAID PARCEL CONTAINS 648,804 SQUARE FEET OR 14.895 ACRES, MORE OR LESS.

