

ORDINANCE NO. 5112

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 MIXED USE DEVELOPMENT INCLUDING MULTI-FAMILY, OFFICE, AND COMMERCIAL USES AS PERMITTED UNDER COMMUNITY COMMERCIAL (C-2) TYPE USES TO PAD FOR MIXED USE DEVELOPMENT INCLUDING MULTI-FAMILY, OFFICE, AND COMMERCIAL USES AS PERMITTED UNDER COMMUNITY COMMERCIAL (C-2) USES AND AUTOMOBILE AND TRUCK SALES WITH MID-RISE OVERLAY ALLOWING HEIGHTS UP TO ONE-HUNDRED AND TWENTY (120) FEET IN CASE PLH24-0023 (THE DISTRICT DOWNTOWN) LOCATED NORTHWEST CORNER OF ARIZONA AVENUE AND SANTAN 202 FREEWAY 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 office, retail, and commercial uses as permitted under Community Commercial (C-2) type uses to PAD for mixed use development including multi-family, office, and commercial uses as permitted under Community Commercial (C-2) uses and automobile and truck sales with Mid-Rise Overlay allowing for building heights up to 120 feet, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled, "The District Downtown" and kept on file in the City of Chandler Planning Division, in File No. PLH24-0023, 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 Council.
2. Building heights shall not exceed 120 (one hundred and twenty) feet in height as measured to the top of parapet of the building façade.
3. Residential density shall be permitted up to a maximum density of forty (40) dwelling units per acre for Parcel 5 and seventy (70) dwelling units per acre for Parcel 4.
4. Uses permitted within the office buildings include general office and medical office. Medical office shall be contingent upon compliance with minimum parking requirements per Zoning Code section 35-1804 Parking Schedule.
5. Users for the automobile and truck sales shall be limited to franchise dealerships only. Franchise dealerships are those dealerships that (a) meet the definition of a "franchisee" under A.R.S. 28-4301, (b) have received a New Motor Vehicle Dealer license from the Arizona Motor Vehicle Division to sell new vehicles, and (c) have the legal right to sell new vehicles to the public for a specific manufacturer or brand.
6. 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.
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 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.
9. The landscaping and all other improvements 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.
10. The landscaping in all rights-of-way shall be maintained by the adjacent property owner or property owners' association.
11. Minimum building setbacks shall be as follows:

Property Line Location	Minimum Building Setback
Arizona Avenue	30 feet
Pecos Road	30 feet
West	20 feet
South	10 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 _____, 2024.

ATTEST:

CITY CLERK

MAYOR

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona, this ____ day of _____, 2024.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 5112 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the ____ day of _____, 2024, and that a quorum was present thereat.

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY TA

Published:

“Exhibit A”

LEGAL DESCRIPTION**REMAINDER PARCEL**

THAT PORTION OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 4, FROM WHICH THE NORTH QUARTER CORNER OF SAID SECTION 4 BEARS SOUTH 89°35'07" WEST, A DISTANCE OF 2652.03 FEET;

THENCE ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER SOUTH 89°35'07" WEST, A DISTANCE OF 1761.37 FEET;

THENCE SOUTH 0°24'53" EAST, A DISTANCE OF 70.00 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF PECOS ROAD;

THENCE ALONG SAID SOUTH RIGHT OF WAY LINE SOUTH 89°16'00" EAST, A DISTANCE OF 1012.29 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID SOUTH RIGHT OF WAY LINE THE NEXT FOUR (4) CALLS;

SOUTH 89°16'00" EAST, A DISTANCE OF 185.93 FEET;

NORTH 89°35'07" EAST, A DISTANCE OF 149.80 FEET;

SOUTH 0°24'55" EAST, A DISTANCE OF 10.00 FEET;

NORTH 89°35'07" EAST, A DISTANCE OF 307.63 FEET;

THENCE SOUTH 41°04'53" EAST, A DISTANCE OF 24.58 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF ARIZONA AVENUE;

THENCE ALONG SAID WEST RIGHT OF WAY LINE THE NEXT TWELVE (12) CALLS;

SOUTH 08°15'39" WEST, A DISTANCE OF 39.88 FEET;

SOUTH 0°38'48" WEST, A DISTANCE OF 13.94 FEET;

SOUTH 89°35'07" WEST, A DISTANCE OF 4.50 FEET;

SOUTH 0°38'37" WEST, A DISTANCE OF 48.51 FEET;

SOUTH 89°35'07" WEST, A DISTANCE OF 4.50 FEET;

SOUTH 0°38'48" WEST, A DISTANCE OF 12.55 FEET;

SOUTH 14°43'45" EAST, A DISTANCE OF 41.48 FEET;

SOUTH 0°38'48" WEST, A DISTANCE OF 236.06 FEET;

SOUTH 89°21'12" EAST, A DISTANCE OF 16.99 FEET;



A handwritten signature in black ink, appearing to read "Nicholas W. Jarrett", written over the bottom portion of the circular seal.

SOUTH 0°38'48" WEST, A DISTANCE OF 75.56 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 3901.72 FEET, AND A CENTRAL ANGLE OF 5°00'15";

THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 340.77 FEET;

SOUTH 04°21'27" EAST, A DISTANCE OF 206.09 FEET;

THENCE SOUTH 39°46'29" WEST, A DISTANCE OF 88.25 FEET TO THE NORTH RIGHT OF WAY LINE OF ARIZONA STATE ROUTE 202;

THENCE ALONG SAID NORTH RIGHT OF WAY FOR THE NEXT SIX(6) CALLS;

THENCE SOUTH 84°46'17" WEST, A DISTANCE OF 1169.47 FEET;

THENCE NORTH 65°15'21" WEST, A DISTANCE OF 12.62 FEET;

THENCE NORTH 65°15'21" WEST, A DISTANCE OF 15.23 FEET;

THENCE SOUTH 84°46'07" WEST, A DISTANCE OF 23.25 FEET;

THENCE SOUTH 53°46'56" WEST, A DISTANCE OF 27.03 FEET;

THENCE SOUTH 84°46'17" WEST, A DISTANCE OF 371.92 FEET;

THENCE NORTH 0°54'51" WEST, A DISTANCE OF 331.74 FEET;

THENCE NORTH 89°05'09" EAST, A DISTANCE OF 431.22 FEET;

THENCE NORTH 0°38'39" WEST, A DISTANCE OF 343.87 FEET;

THENCE NORTH 89°35'05" EAST, A DISTANCE OF 574.11 FEET;

THENCE NORTH 0°24'55" WEST, A DISTANCE OF 567.64 FEET TO THE POINT OF BEGINNING.

CONTAINS 1,221,858 SQUARE FEET +/- OR 28.050 ACRES +/-.



Nicholas W. Jarrett

LEGAL DESCRIPTION

PARCEL 4

THAT PORTION OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 4, FROM WHICH THE NORTH QUARTER CORNER OF SAID SECTION 4 BEARS SOUTH 89°35'07" WEST, A DISTANCE OF 2652.03 FEET;

THENCE ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER SOUTH 89°35'07" WEST, A DISTANCE OF 1761.37 FEET;

THENCE SOUTH 0°24'53" EAST, A DISTANCE OF 70.00 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF PECOS ROAD;

THENCE ALONG SAID SOUTH RIGHT OF WAY LINE SOUTH 89°16'00" EAST, A DISTANCE OF 435.75 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 89°16'00" EAST, A DISTANCE OF 576.54 FEET;

THENCE SOUTH 0°24'55" EAST, A DISTANCE OF 567.64 FEET;

THENCE SOUTH 89°35'05" WEST, A DISTANCE OF 574.11 FEET;

THENCE NORTH 0°38'39" WEST, A DISTANCE OF 579.21 FEET TO THE POINT OF BEGINNING.

CONTAINS 329,862 +/- SQUARE FEET OR 7.572 ACRES +/-.



Nicholas W. Jarrett

LEGAL DESCRIPTION

PARCEL 5

THAT PORTION OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 4, FROM WHICH THE NORTH QUARTER CORNER OF SAID SECTION 4 BEARS SOUTH 89°35'07" WEST, A DISTANCE OF 2652.03 FEET;

THENCE ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER SOUTH 89°35'07" WEST, A DISTANCE OF 1761.37 FEET;

THENCE SOUTH 0°24'53" EAST, A DISTANCE OF 70.00 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF PECOS ROAD AND TO THE POINT OF BEGINNING;

THENCE ALONG SAID SOUTH RIGHT OF WAY SOUTH 89°16'00" EAST, A DISTANCE OF 435.75 FEET;

THENCE SOUTH 0°38'39" EAST, A DISTANCE OF 923.14 FEET;

THENCE SOUTH 89°05'09" WEST, A DISTANCE OF 431.22 FEET;

THENCE NORTH 0°54'51" WEST, A DISTANCE OF 935.66 FEET TO THE POINT OF BEGINNING.

CONTAINS 402,810 SQUARE FEET +/- OR 9.247 ACRES +/-.



Nicholas W. Jarrett

