

ORDINANCE NO. 5110

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM REGIONAL COMMERCIAL (C-3) TO PLANNED AREA DEVELOPMENT (PAD) FOR MULTI-FAMILY RESIDENTIAL IN CASE PLH24-0001 (TOLL BROTHERS UPTOWN) LOCATED APPROXIMATELY ¼ MILE NORTH OF THE NORTHEAST CORNER OF ARIZONA AVENUE AND WARNER 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, 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 Regional Commercial (C-3) to Planned Area Development (PAD) for high-density residential, subject to the following conditions:

1. Development shall be substantial conformance with the Development Booklet entitled "Toll Brothers Uptown" and kept on file in the City of Chandler Planning Division, in File No. PLH24-0001, 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. High-density residential shall be permitted at a maximum density of thirty-five (35) dwelling units per acre.
3. Building height shall be limited to a maximum of fifty-five (55) feet in height.
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 right-of-way shall be maintained by the adjacent property owner or property owners' association.
7. Minimum setbacks shall be as follows:

Property Line Location	Minimum Building Setback
Arizona Avenue	20'
North	10'
South	10'
East	20'

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. 5110 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

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 1 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 15, BEING MARKED BY A BRASS CAP IN HAND HOLE, FROM WHICH POINT THE WEST QUARTER CORNER OF SAID SECTION 15, BEING MARKED BY A BRASS CAP FLUSH, BEARS NORTH 00°00'00" EAST, A DISTANCE OF 2654.12 FEET;

THENCE NORTH 00°00'00" EAST, ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 955.01 FEET TO THE SOUTH LINE OF THE NORTH 1100 FEET OF THE SOUTH 2055 FEET OF SAID SOUTHWEST QUARTER, SAID POINT BEING THE POINT OF BEGINNING;

THENCE CONTINUING NORTH 00°00'00" EAST, ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 676.01 FEET TO THE NORTH LINE OF THE SOUTH 1631 FEET OF SAID SOUTHWEST QUARTER;

THENCE NORTH 89°40'45" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 510.00 FEET;

THENCE SOUTH 00°19'15" EAST, A DISTANCE OF 111.00 FEET TO THE NORTH LINE OF THE SOUTH 1520 FEET OF SAID SOUTHWEST QUARTER;

THENCE NORTH 89°40'45" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 544.40 FEET TO THE EAST LINE OF THE WEST 1055 FEET OF SAID SOUTHWEST QUARTER;

THENCE SOUTH 00°00'00" EAST, ALONG SAID EAST LINE, A DISTANCE OF 565.01 FEET TO THE SOUTH LINE OF THE NORTH 1100 FEET OF THE SOUTH 2055 FEET OF SAID SOUTHWEST QUARTER;

THENCE SOUTH 89°40'45" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 1055.02 FEET TO THE POINT OF BEGINNING.

CONTAINING 652,729 SQ.FT. OR 14.9846 ACRES, MORE OR LESS.



