

ORDINANCE NO. 5120

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 PLANNED AREA DEVELOPMENT (PAD) FOR A COMMERCIAL OFFICE TO PLANNED AREA DEVELOPMENT (PAD) FOR MULTI-FAMILY RESIDENTIAL IN THE CASE PLH24-0041 (NIRVANA AT ELLIS) LOCATED SOUTH OF THE SOUTHEAST CORNER OF FRYE ROAD AND ELLIS STREET 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 a commercial office to PAD for multi-family residential, subject to the following conditions:

1. The development shall be in substantial conformance with the Development Booklet, entitled "Nirvana at Ellis" and kept on file in the City of Chandler Planning Division in file No. PLH24-0041, except as modified by conditions herein.

2. Uses permitted on the property shall be those permitted in the Multiple-Family Residential (MF-2) zoning district.
3. Development standards, including maximum density of eighteen (18) dwelling units per acre, shall be consistent with the Multiple-Family Residential (MF-2) zoning district, except as modified by conditions herein.
4. Minimum building setbacks shall be as follows, except that a zero setback may be applied to a trash enclosure located at the southeast corner of the property:

West setback	25 feet
North setback	10 feet
East setback	10 feet
South setback	10 feet

5. 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.
6. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
7. 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.
8. 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.
9. The landscaping in all rights-of-way shall be maintained by the adjacent property owner or property owners' association.

- 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 _____, 2025.

ATTEST:

CITY CLERK

MAYOR

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona, this ____ day of _____, 2025.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 5120 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the ____ day of _____, 2025, and that a quorum was present thereat.

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY TA

Published:

Exhibit "A"

That portion of the Northwest quarter of the Southeast quarter of Section 31, 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 South quarter corner of said Section 31;

THENCE North 0 degrees 00 minutes 00 seconds East along the North-South Mid-Section line of said Section 31, a distance of 1732.63 feet to the TRUE POINT of BEGINNING;

THENCE Continuing North 0 degrees 00 minutes 00 East, a distance of 224.52 feet;

THENCE South 89 degrees 53 minutes 56 seconds East, a distance of 352.42 feet;

THENCE South 0 degrees 00 minutes 00 seconds West, a distance of 190.91 feet;

THENCE South 45 degrees 00 minutes 00 seconds West, a distance of 142.22 feet to a point on a non-tangent curve to the left, concave Southwesterly, with a radius bearing South 42 degrees 16 minutes 00 seconds West, a distance of 260.29 feet;

THENCE along said curve to the left, through a central angle of 43 degrees 45 minutes 43 seconds West, a distance of 198.81 feet, to a point of tangency;

THENCE North 90 degrees 00 minutes 00 seconds West, a distance of 70.00 feet, to the TRUE POINT OF BEGINNING.

Said parcel is also known as Lot 2, MINOR LAND DIVISION MAP FOR VILLA PALLAVICINI, according to Book 694 of Maps, page 26, records of Maricopa County, Arizona.

APN:303-24-220