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MEMORANDUM **Transportation & Development – PZ Memo No. 12-078**

DATE: AUGUST 28, 2012

TO: PLANNING AND ZONING COMMISSION

THRU: R.J. ZEDER, TRANSPORTATION & DEVELOPMENT DIRECTOR
JEFF KURTZ, PLANNING ADMINISTRATOR
KEVIN MAYO, PLANNING MANAGER KM

FROM: ERIK SWANSON, CITY PLANNER ES

SUBJECT: PDP12-0017 AVIAN MEADOWS

Request: Request Preliminary Development Plan approval for housing product for a single-family residential subdivision

Location: North of the northwest corner of Chandler Heights and Lindsay roads

Applicant: Jeff King; Ashton Woods Homes

RECOMMENDATION

The request is for Preliminary Development Plan (PDP) approval for housing product for a single-family residential subdivision. Staff, upon finding consistency with the General Plan, recommends approval.

BACKGROUND

The subject site is located north of the northwest corner of Chandler Heights and Lindsay Roads. Directly north and west of the subject site is the Old Stone Ranch single-family residential subdivision. East, across Lindsay Road is the Veteran's Oasis Park. South, adjacent to the site is an undeveloped property zoned PAD for commercial development at the intersection corner, and two properties with agricultural rights within the County.

Based on the General Plan the subject site is located within the Southeast Chandler Area Plan (SECAP), and designated as supporting Traditional Suburban Character type neighborhoods. The SECAP allows for residential density to be 2.5 dwelling units per acre, and provides provision for up to 3.5 dwelling units per acre based upon amenities provided to the subdivision. The approved subdivision provides an overall density of 3.22 dwelling units per acre. The

subject site was Rezoned and approved with PDP approval for subdivision layout only in late 2009. At the time of approval housing product was not included and the development was stipulated that housing product would require future submittal and approval.

The subdivision is rectangular in design and provides two access points. The main entry into the site is provided along Lindsay Road with a secondary access point along Brooks Farm Road located at the north end of the subdivision. Both entry points terminate at large open space areas. A number of visibility corridors into the subdivision are provided along Lindsay Road. An attractive entry monument sign off the Lindsay Road entrance is provided that combines CMU columns, trellis elements, and green screens, set within a landscaped planter. Unique wall designs are provided ranging from the historic rural character of rail fencing, to the primary and secondary perimeter wall designs. The perimeter wall design includes a combination of three-foot CMU columns with planters on top and green screen elements. This wall design is carried into the subdivision where the wall is adjacent to landscape tracts, however on a more modest scale.

The subdivision will be developed in two phases with 60'x120' lots as Phase 1 and 70'x120' lots as Phase 2. Ashton Woods will be developing all of Phase 1. All site improvements (perimeter wall, landscaping, streets, and utilities) will be done by the developer of the subdivision prior to the development of lots. The 60'x120' lots are located along the east and south perimeter, with the larger lots being internal to the site. There are approximately 119 60'x120' lots, and 81 70'x120' lots, for a total of 200 lots. Ashton Woods Homes is proposing to develop all of the lots within Phase 1; options are being explored for the development of Phase 2.

HOUSING PRODUCT

Similar to the requirement of meeting subdivision diversity, the housing product also needs to meet a number of elements required in the RDS. Required architectural elements as outlined in the RDS include providing at least three different architectural style differences, prohibiting the same elevation adjacent to and across the street from each other, and providing four-sided architectural elements. Three one-story and three two-story homes are provided, all of the housing product is 45' wide. A mix of recessed, forward and side-entry, and two-car with tandem space garages are provided; square footage ranges from 1,992 to 3,883.

Architectural styles include Spanish Colonial, Spanish Monterey, Spanish Mission, Ranch, Craftsman, Prairie, and French Country; not all elevation types are provided for each home. Various architectural elements highlighting the prescribed style include window pop-outs, garage and front door detailing, window mullions, shutters, stone detailing, wing walls, and siding elements. The RDS require that at least one elevation provide stone elements; the home builder is providing stone on four of the elevations: Craftsman, French Country, Prairie, and Ranch.

Setbacks for the housing product were incorporated in the Rezoning and PDP request for subdivision layout. Setbacks are typical of other subdivisions in the area; however, rear setbacks for homes along Lindsay Road have been increased to 30-feet for a single-story and 40-feet for a two-story. The increased setbacks are required in the SECAP.

DISCUSSION

Staff supports the request citing that the housing product represents another quality addition to Chandler's housing stock. Furthermore, Staff is pleased with the strong design characteristics of the housing product and the variety of elevations provided.

PUBLIC NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code.

- Notices were mailed to all property owners within a six hundred foot radius and all Registered Neighborhood Organizations (RNOs) within ¼ mile.
- A description of the PDP request was advertised in the newspaper.
- Two orange 4'x8' public hearing signs were posted on the property.
- A neighborhood meeting was held on Thursday, August 16, 2012. Seven neighbors were in attendance and generally supported the request.

At the time of this writing, Staff has received no telephone calls or letters opposed to this application.

RECOMMENDED ACTION

Staff, upon finding consistency with the General Plan, recommends approval of PDP12-0017 AVIAN MEADOWS, Preliminary Development Plan approval for housing product, subject to the following conditions:

1. Development shall be in substantial conformance with Attachment No.7, Development Booklet, entitled "AVIAN MEADOWS", kept on file in the City of Chandler Transportation & Development Services Department, Planning Division, in File No. PDP12-0017 AVIAN MEADOWS, except as modified by condition herein.

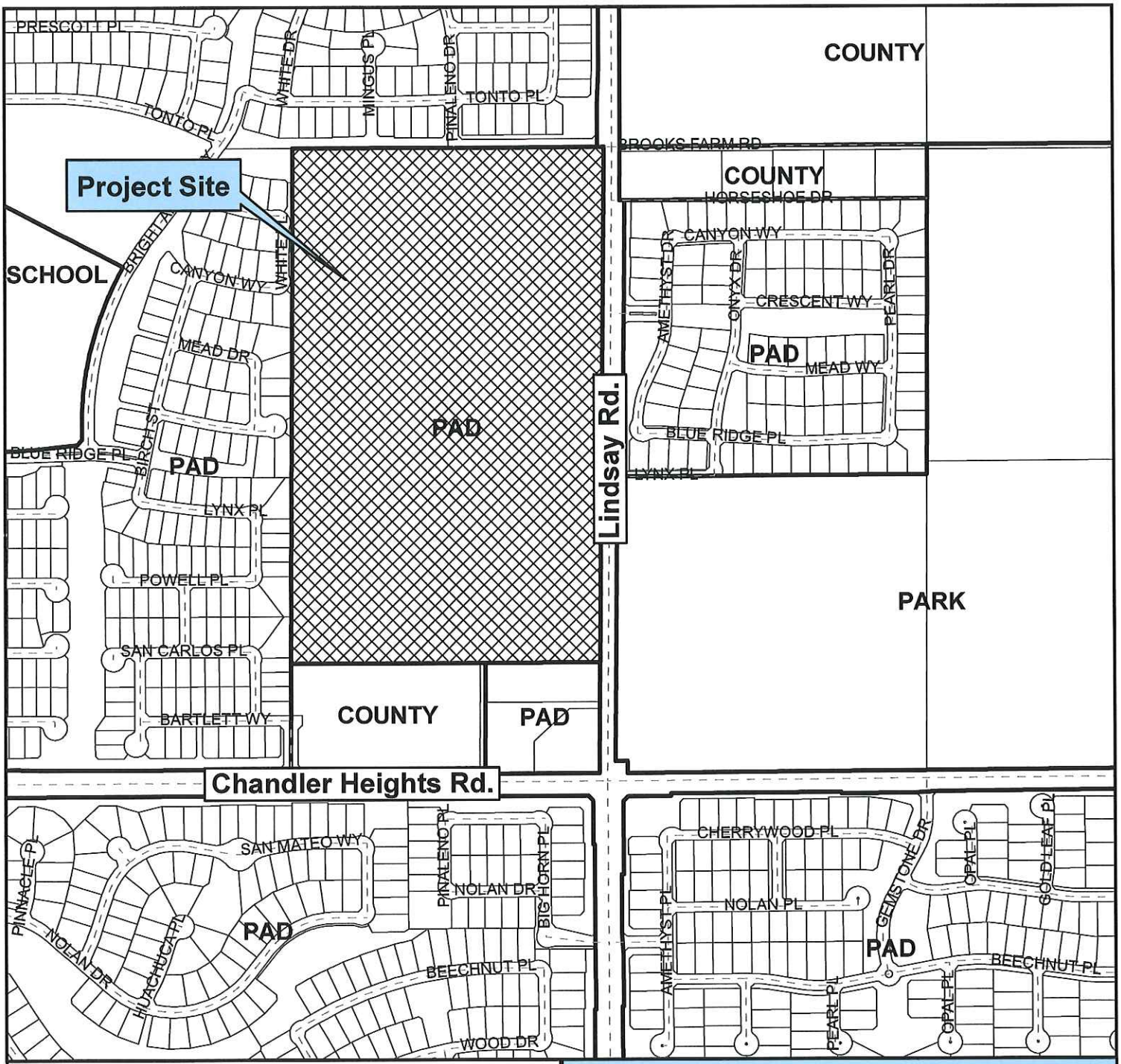
2. Compliance with original conditions adopted by the City Council as Ordinance No. 4202 in case DVR09-0002 AVIAN MEADOWS, except as modified by condition.

PROPOSED MOTIONS

Motion to recommend approval PDP12-0017 AVIAN MEADOWS, Preliminary Development Plan for housing product, subject to the conditions recommended by Staff.

Attachment

1. Vicinity Maps
2. Landscape Plan
3. Elevations & Floor Plans
4. Ordinance No. 4202
5. Development Booklet

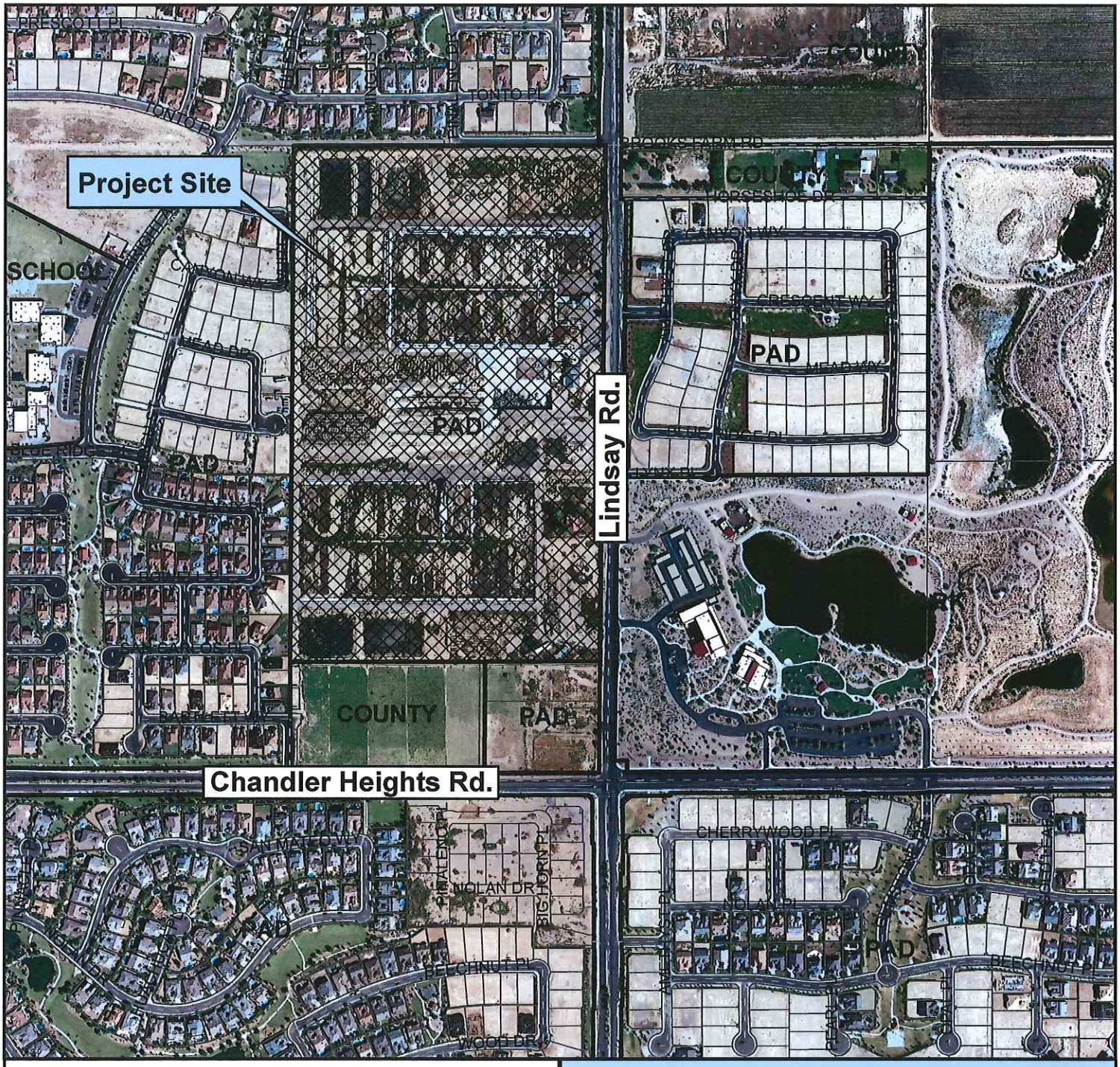


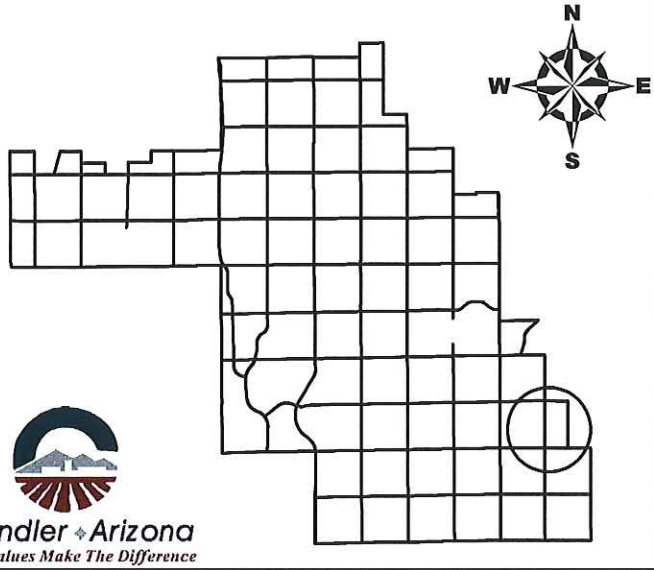
Vicinity Map

PDP12-0017

Avian Meadows

CITY OF CHANDLER 7/17/2012





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Vicinity Map

PDP12-0017

Avian Meadows

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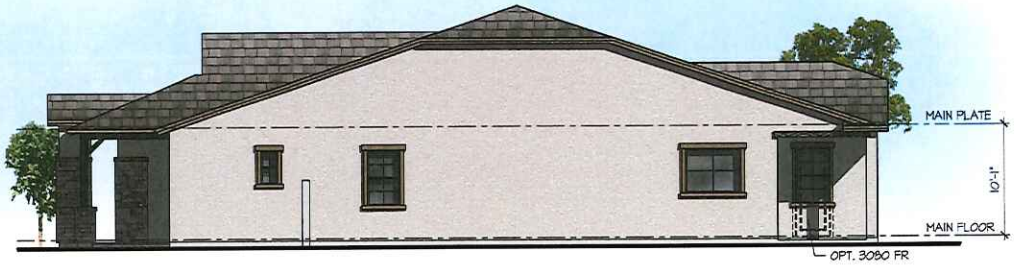
Avian Meadows

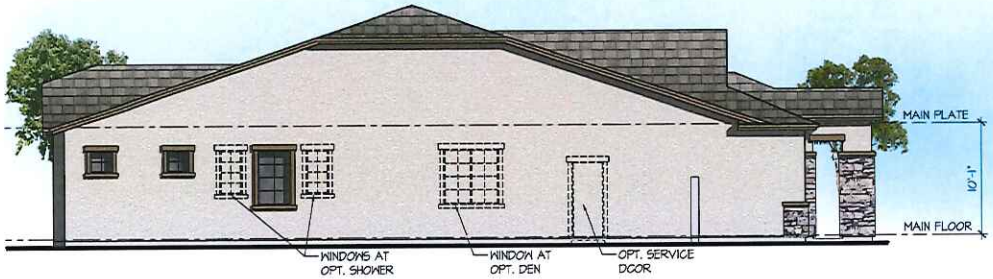
CMG 167, LLC

Preliminary Site Plan

Rear Elevation
scale: 3/16" = 1'-0"



Right Side Elevation
scale: 3/16" = 1'-0"



Left Side Elevation
scale: 3/16" = 1'-0"

Front Elevation
scale: 3/16" = 1'-0"

Plan 4520
Elevation B : Ranch
Color Scheme 5

Avian Meadows
Chandler, AZ

ASHTON WOODS Homes

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The drawings presented are illustrative of character and design intent only, and are subject to change based upon final design considerations (i.e. applicable codes, structural, and MEP design requirements, and plan / floor plan changes, etc.)

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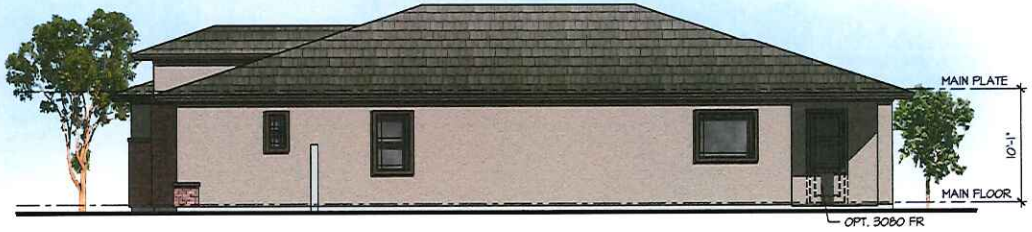
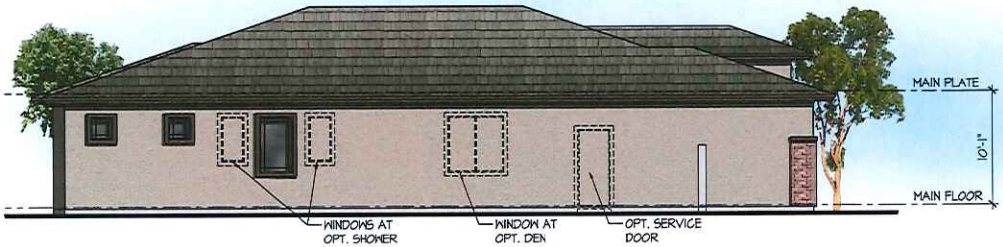
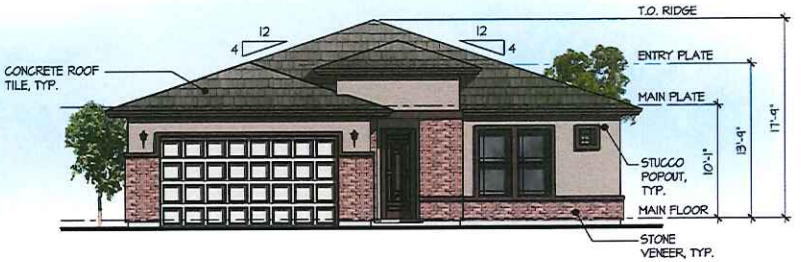
Rear Elevation
scale: 3/16" = 1'-0"



Right Side Elevation
scale: 3/16" = 1'-0"



Left Side Elevation
scale: 3/16" = 1'-0"



Front Elevation
scale: 3/16" = 1'-0"

Plan 4520
Elevation G : Prairie
Color Scheme 18

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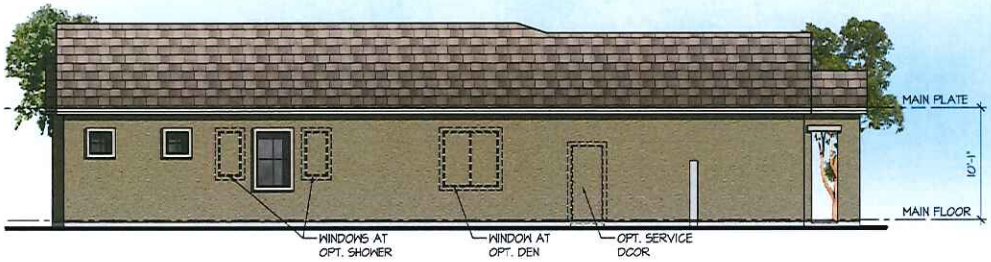
Rear Elevation
scale: 3/16" = 1'-0"

Right Side Elevation
scale: 3/16" = 1'-0"



Left Side Elevation
scale: 3/16" = 1'-0"

Front Elevation
scale: 3/16" = 1'-0"

Plan 4520
Elevation H : Spanish Mission
Color Scheme 9

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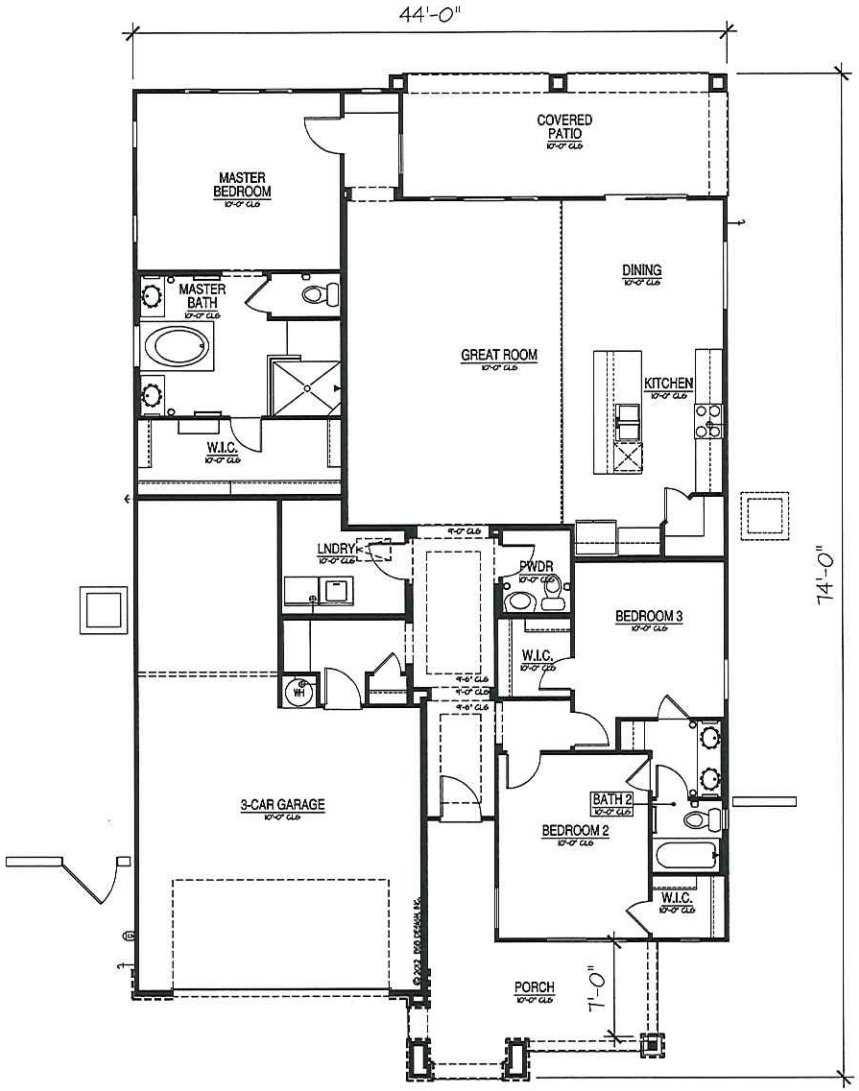

AREA SCHEDULE - PLAN 4520

ALL ELEVATIONS:		LIVEABLE SQ. FT.	UNDER ROOF
A	MAIN FLOOR LIVING AREA	1992	1992
B	3-CAR TANDEM GARAGE		629
C	COVERED PATIO		217
D	COVERED PORCH - B		204
E	COVERED PORCH - G		55
F	COVERED ENTRY - H		204
	TOTAL - B	1992	3041
	TOTAL - G	1992	2692
	TOTAL - H	1992	3041

OPTIONS:			
H	SITTING ROOM	+128	
J	DEN LL.O. 3 CAR GARAGE	+156	

Elevation B - Ranch
Main Floor Plan

SCALE: 1/4"=1'-0"

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Chandler, AZ

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480 663 2100

JOB NO: 04-P12018 PROJ MGR: CTR
DRAWN: DJB CSM CHECKED: -

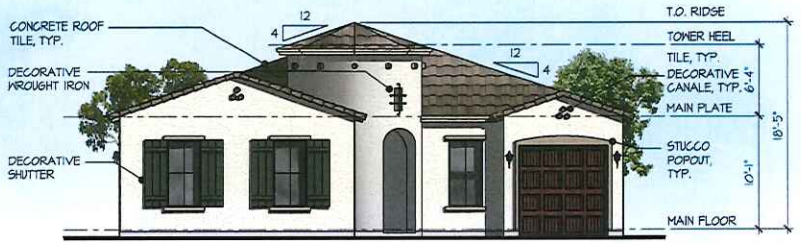
MAIN FLOOR PLAN - ELEVATION B

PLAN 4520
A2.1

Rear Elevation
scale: 3/16" = 1'-0"

Right Side Elevation
scale: 3/16" = 1'-0"

Left Side Elevation
scale: 3/16" = 1'-0"



Front Elevation
scale: 3/16" = 1'-0"

Plan 4524
Elevation A : Spanish Colonial
Color Scheme 1

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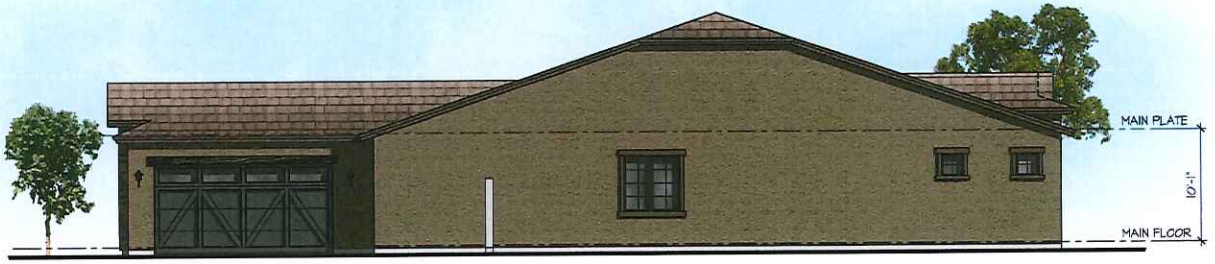
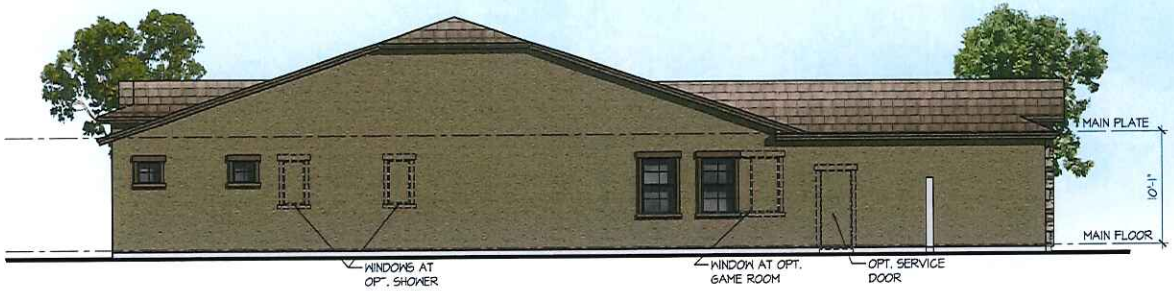
Rear Elevation
scale: 3/16" = 1'-0"



Right Side Elevation
scale: 3/16" = 1'-0"



Left Side Elevation
scale: 3/16" = 1'-0"

Front Elevation
scale: 3/16" = 1'-0"

Plan 4524
Elevation B : Ranch
Color Scheme 6

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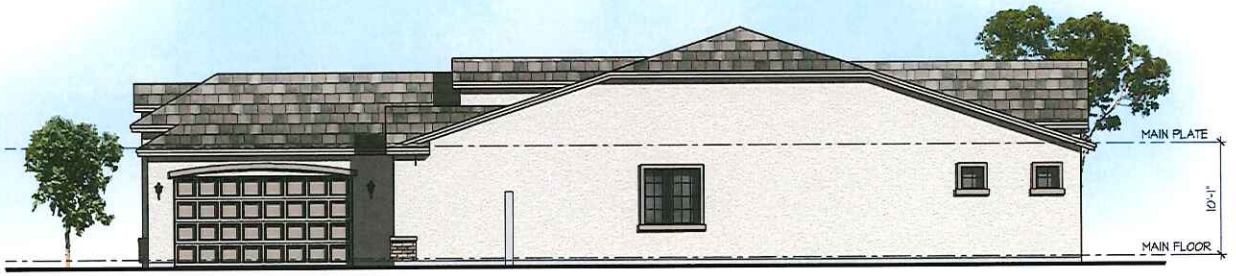
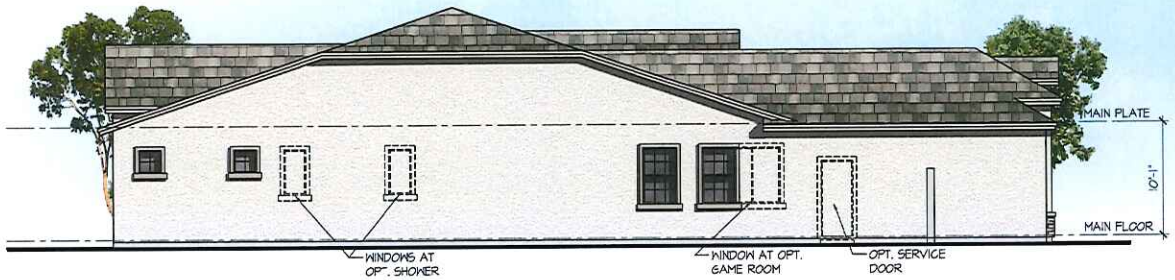
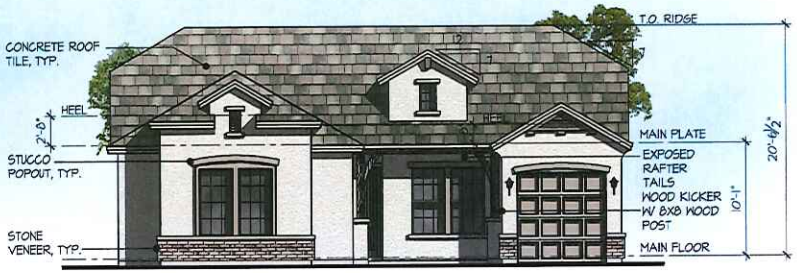
Rear Elevation
scale: 3/16" = 1'-0"



Right Side Elevation
scale: 3/16" = 1'-0"



Left Side Elevation
scale: 3/16" = 1'-0"



Front Elevation
scale: 3/16" = 1'-0"

Plan 4524
Elevation K : French Country
Color Scheme 22

Avian Meadows
Chandler, AZ

ASHTON WOODS Homes

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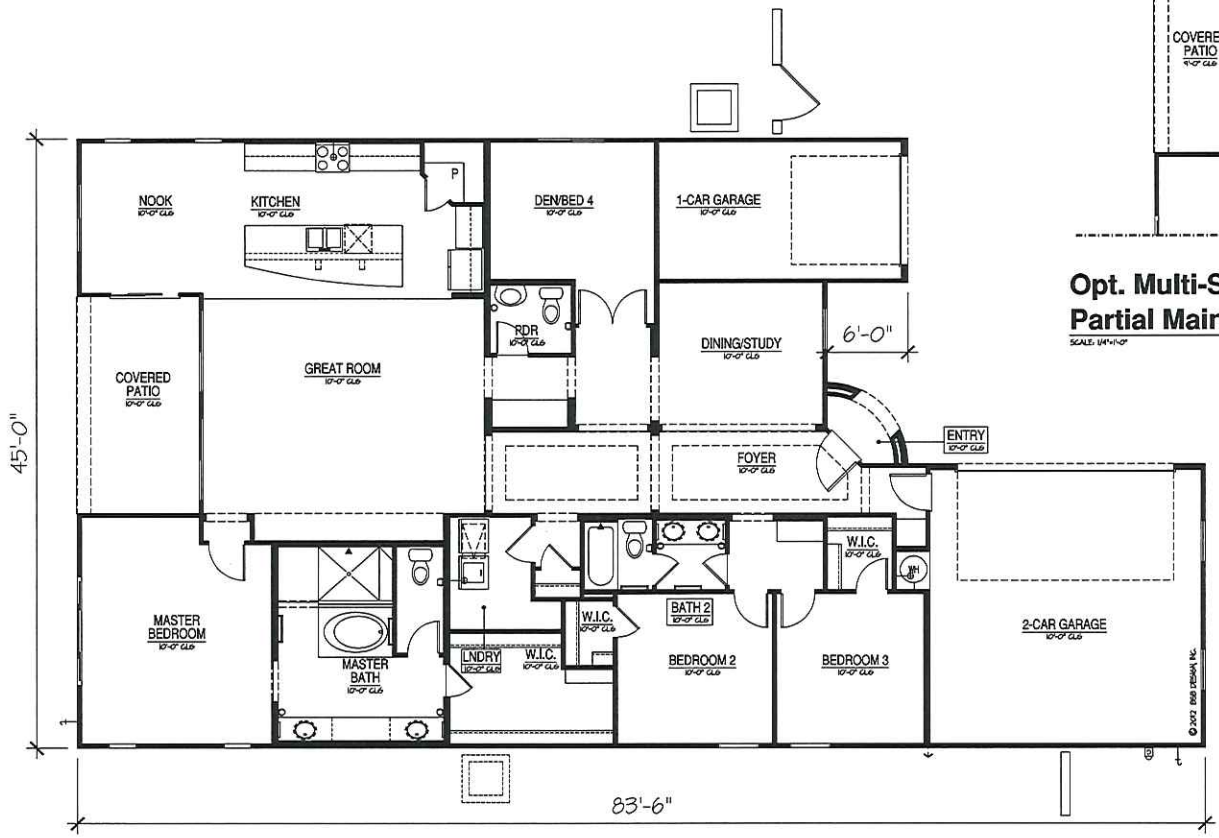

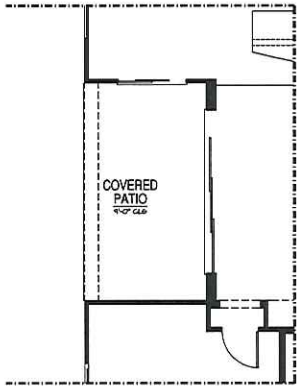

Opt. Multi-Slide Door Partial Main Floor Plan

SCALE: 1/4"=1'-0"

AREA SCHEDULE - PLAN 4524			
ALL ELEVATIONS:		LIVEABLE SQ. FT.	UNDER ROOF
A	MAIN FLOOR LIVING AREA	2561	2561
B	2 CAR GARAGE		455
C	1 CAR GARAGE		143
D	COVERED PATIO		144
E	COVERED ENTRY - A		25
F	COVERED ENTRY - B		76
G	COVERED ENTRY - K		76
	TOTAL - A	2561	3178
	TOTAL - B	2561	3224
	TOTAL - K	2561	3224
OPTIONS:			
H	GUEST SUITE	+175	

Elevation A - Spanish Colonial Main Floor Plan

SCALE: 1/4"=1'-0"

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480 663 2100

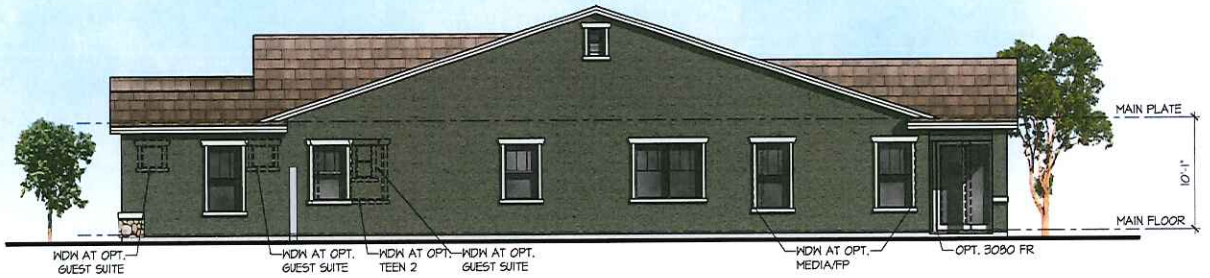
JOB NO: 04P12013 PROJ MGR: CTB
DRAWN: DJB CSM CHECKED: -

MAIN FLOOR PLAN - ELEVATION B

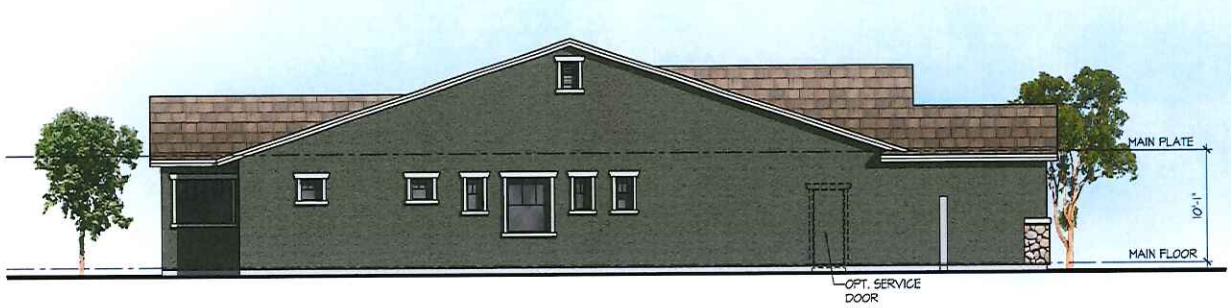
PLAN 4524

A2.1

Rear Elevation
scale: 3/16" = 1'-0"



Right Side Elevation
scale: 3/16" = 1'-0"



Left Side Elevation
scale: 3/16" = 1'-0"

Front Elevation
scale: 3/16" = 1'-0"

Plan 4526
Elevation D : Craftsman
Color Scheme 15

Avian Meadows
Chandler, AZ

ASHTON WOODS Homes

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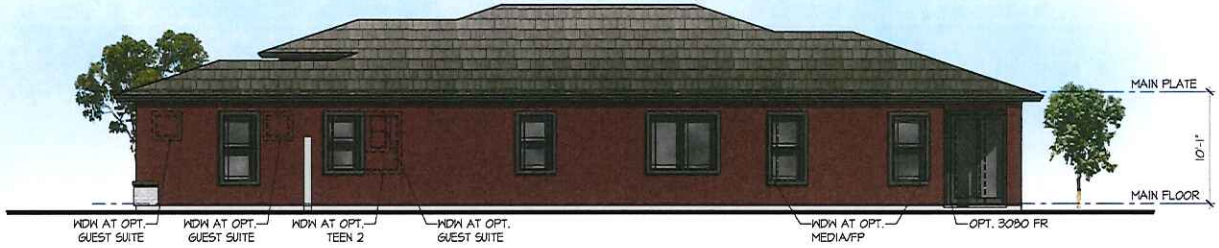
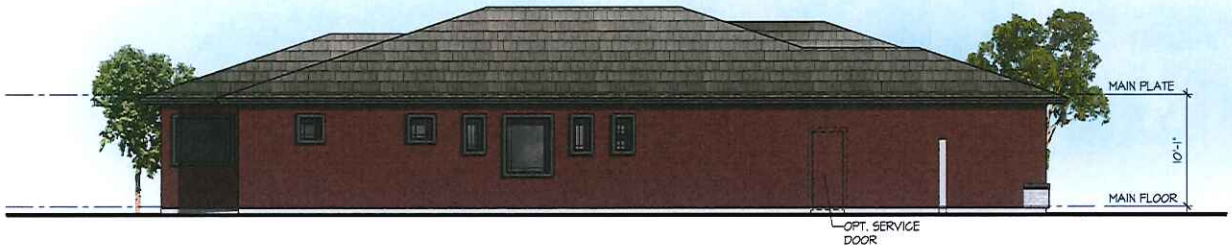
Rear Elevation
scale: 3/16" = 1'-0"



Right Side Elevation
scale: 3/16" = 1'-0"



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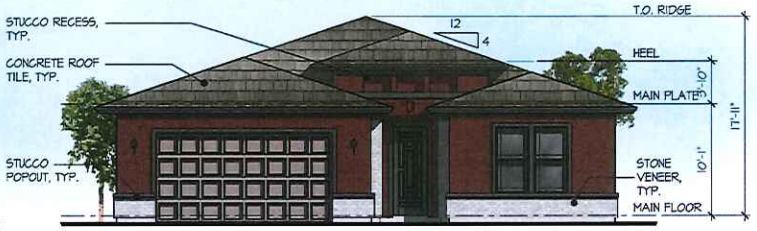

Front Elevation
scale: 3/16" = 1'-0"

Plan 4526
Elevation G : Prairie
Color Scheme 19

Avian Meadows
Chandler, AZ

ASHTON WOODS Homes

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Rear Elevation
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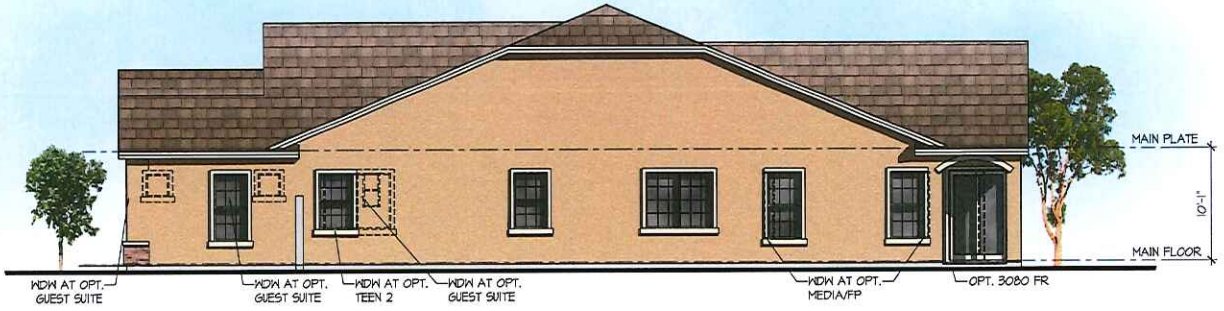

Right Side Elevation
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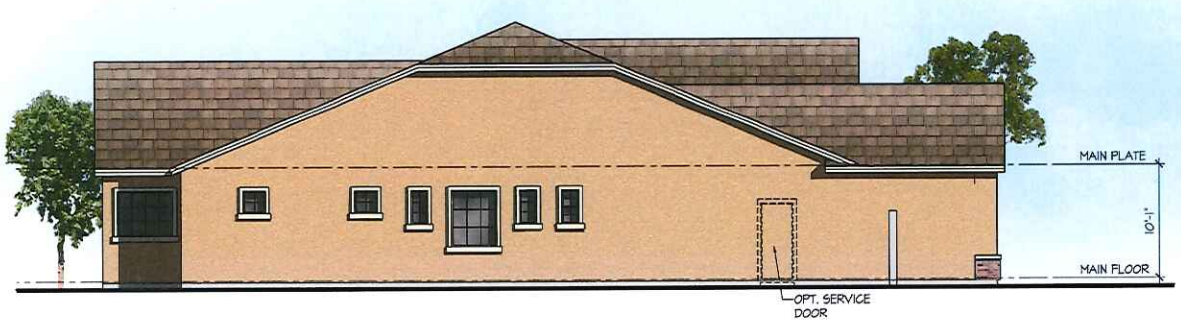

Left Side Elevation
scale: 3/16" = 1'-0"

Front Elevation
scale: 3/16" = 1'-0"

Plan 4526
Elevation K : French Country
Color Scheme 23

Avian Meadows
Chandler, AZ

ASHTON WOODS Homes

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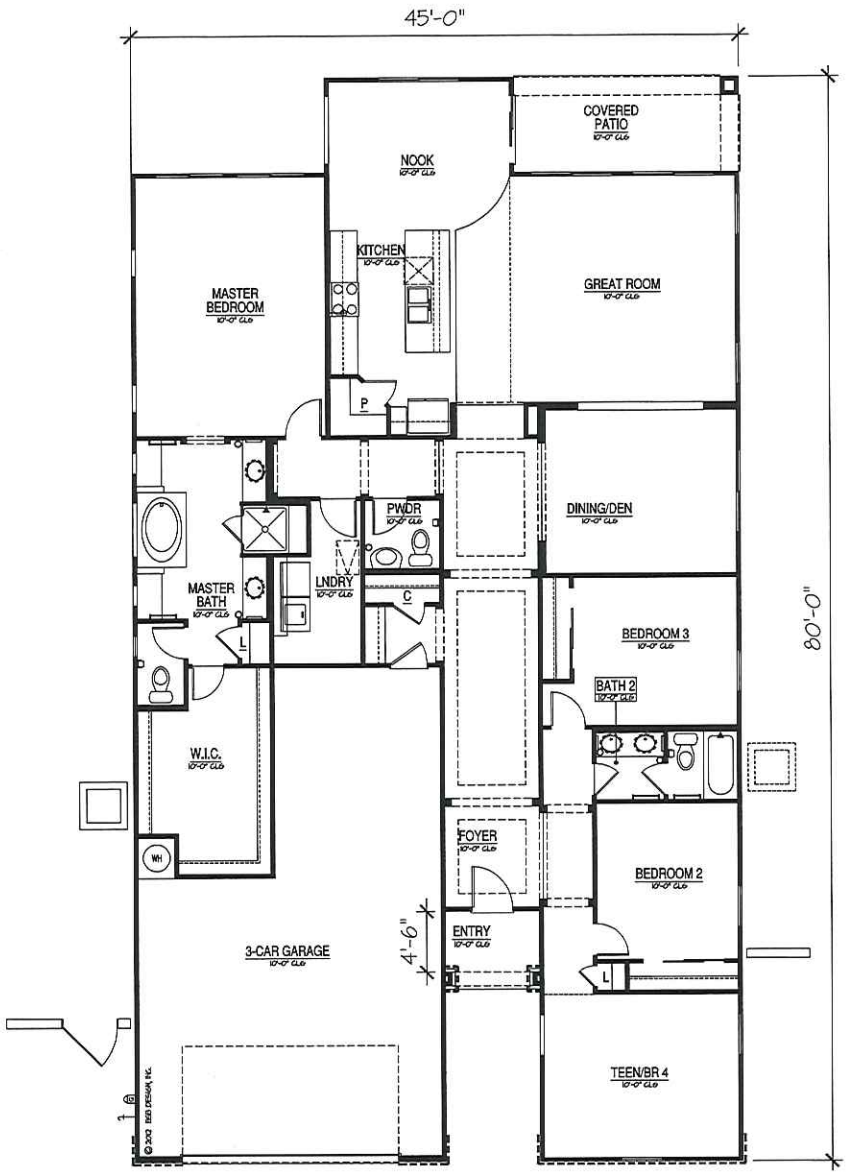

AREA SCHEDULE - PLAN 4526			
ALL ELEVATIONS:		LIVEABLE SQ. FT.	UNDER ROOF
A	MAIN FLOOR LIVING AREA	2596	2596
B	3 CAR GARAGE		652
C	COVERED PATIO		142
D	COVERED ENTRY - ALL		58
	TOTAL - ALL	2596	3438
OPTIONS:			
E	COVERED PATIO 2		+128

Elevation D - Craftsman
Main Floor Plan

SCALE: 1/4"=1'-0"

DESIGN REVIEW SET 07-12-2012

ISSUE DATE:
REVISIONS

ASHTON WOODS Homes

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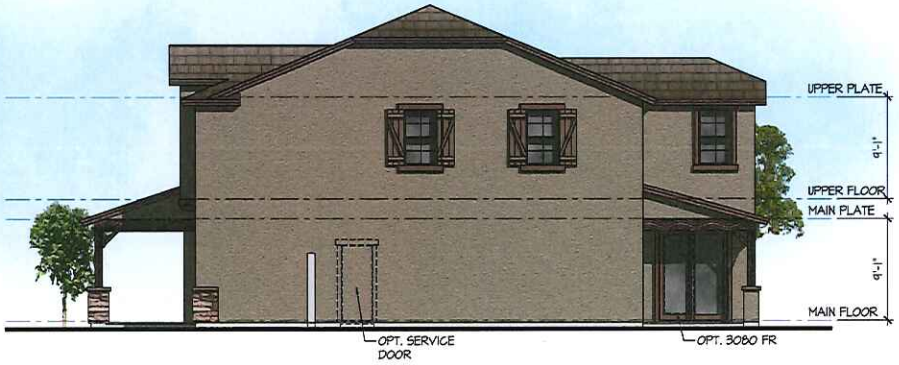
JOB NO: SAP12013 PROJ MGR: CTM
DRAWN: DJB CSM CHECKED: -

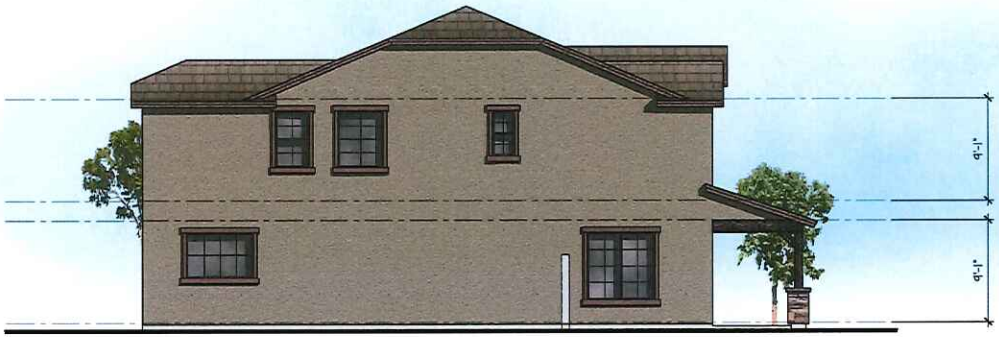
MAIN FLOOR PLAN - ELEVATION D

PLAN 4526
A2.1

Rear Elevation
scale: 3/16" = 1'-0"



Right Side Elevation
scale: 3/16" = 1'-0"



Left Side Elevation
scale: 3/16" = 1'-0"

Front Elevation
scale: 3/16" = 1'-0"

Plan 4530
Elevation B : Ranch
Color Scheme 7

Avian Meadows
Chandler, AZ

ASHTON WOODS Homes

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07-12-2012

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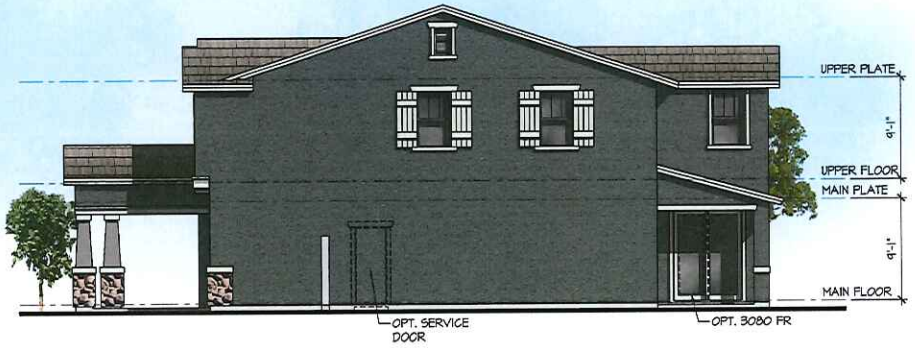
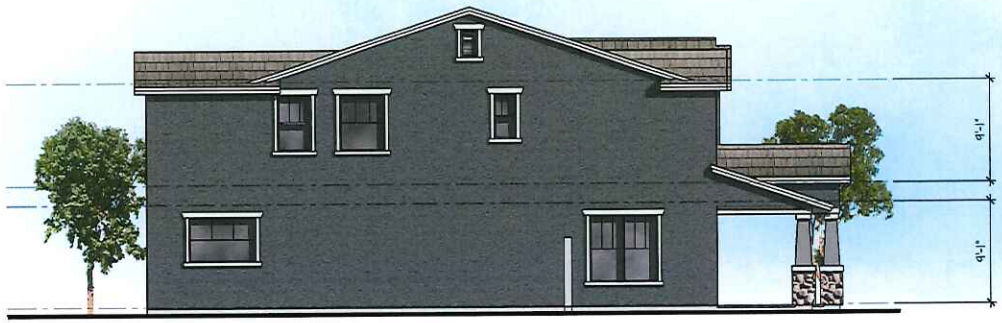
Rear Elevation

scale: 3/16" = 1'-0"



Right Side Elevation

scale: 3/16" = 1'-0"



Left Side Elevation

scale: 3/16" = 1'-0"

Front Elevation

scale: 3/16" = 1'-0"

Plan 4530

Elevation D : Craftsman

Color Scheme 16

Avian Meadows
Chandler, AZ

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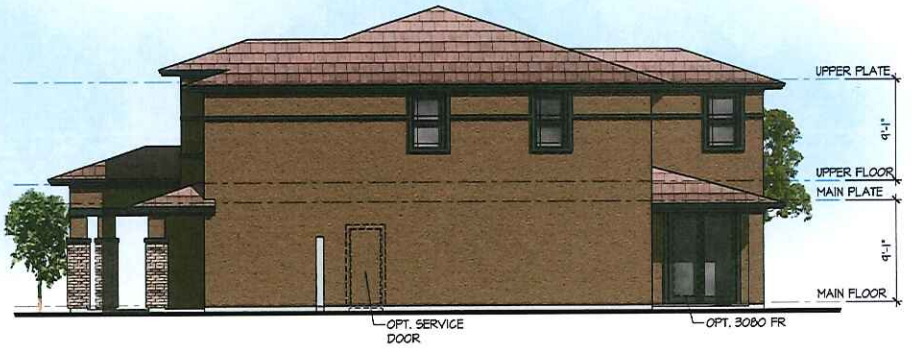
Rear Elevation
scale: 3/16" = 1'-0"



Right Side Elevation
scale: 3/16" = 1'-0"

Left Side Elevation
scale: 3/16" = 1'-0"

Front Elevation
scale: 3/16" = 1'-0"

Plan 4530
Elevation G : Prairie
Color Scheme 20

Avian Meadows
Chandler, AZ

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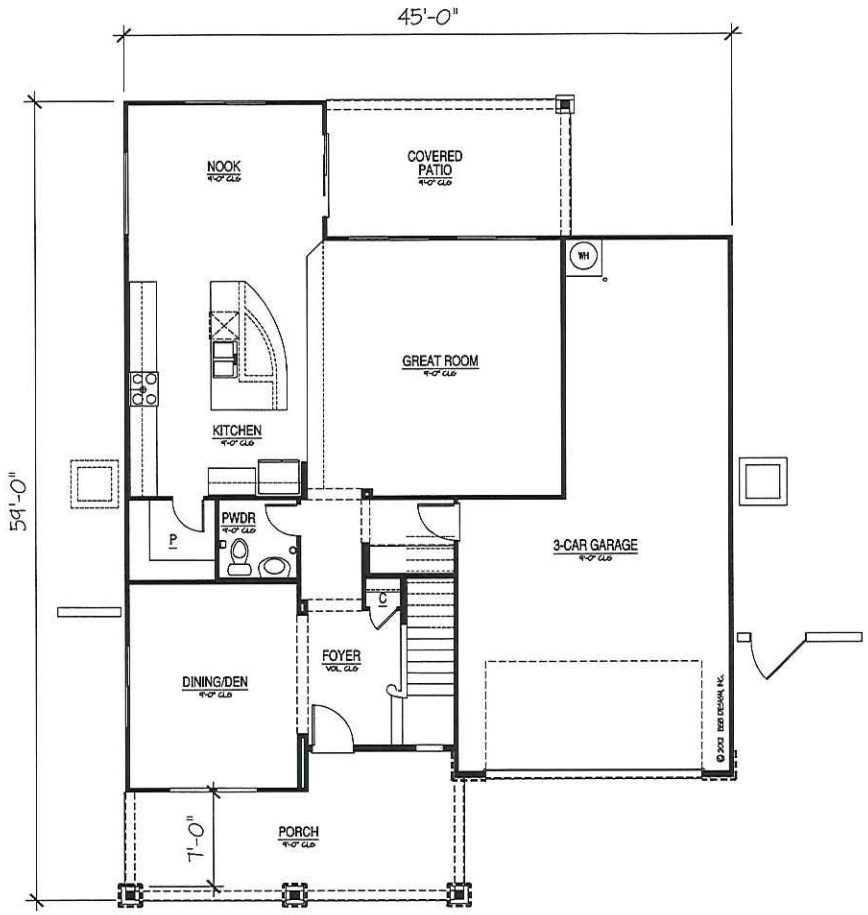


AREA SCHEDULE - PLAN 4530

ALL ELEVATIONS:		LIVEABLE SQ. FT.	UNDER ROOF
A	MAIN FLOOR LIVING AREA	1281	1281
B	UPPER FLOOR LIVING AREA	1513	1513
C	3-CAR GARAGE		660
D	COVERED PATIO		150
E	COVERED PORCH - B		256
F	COVERED PORCH - D		287
G	COVERED PORCH - G		585
	TOTAL - B	3014	4710
	TOTAL - D	3014	4221
	TOTAL - G	3014	4517
OPTIONS:			
H	OPT COVERED PATIO 2		120

Elevation B - Ranch
Main Floor Plan

SCALE: 1/4"=1'-0"

DESIGN REVIEW SET 07-12-2012

ISSUE DATE:

REVISIONS

ASHTON WOODS Homes

Avian Meadows
Chandler, AZ

BSB DESIGN

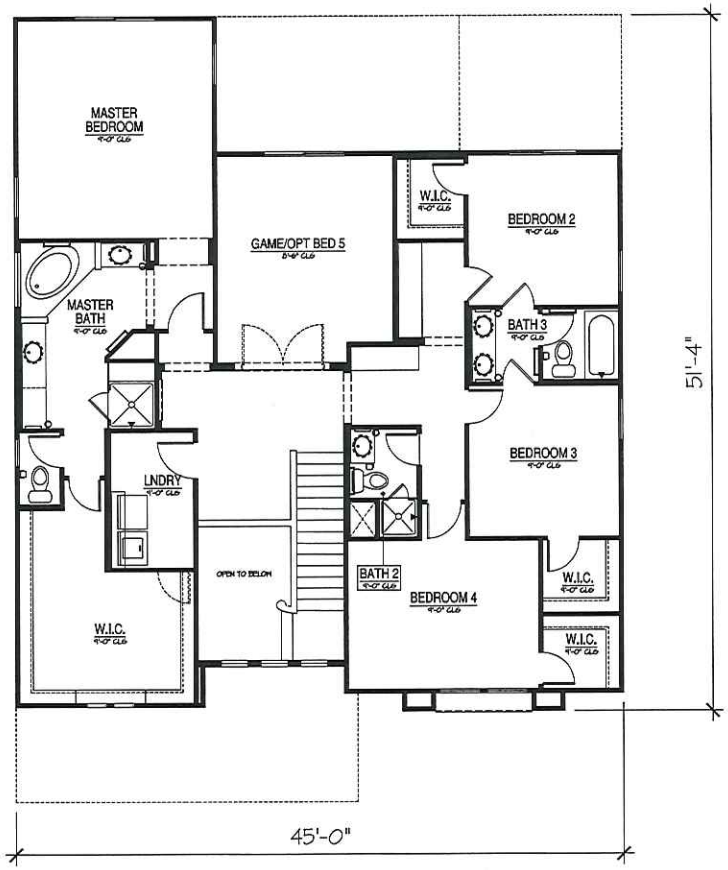
www.bsbdesign.com
6125 E. Indian School Rd., Suite 1001
Scottsdale, Arizona 85251
480 663 2100

JOB NO: 04-P12018 PROJ MGR: CTW
DRAWN: DJR CSM CHECKED: -

MAIN FLOOR PLAN - ELEVATION B

PLAN 4530

A2.1



AREA SCHEDULE - PLAN 4530			
ALL ELEVATIONS:		LIVEABLE SQ FT.	UNDER ROOF
(A)	MAIN FLOOR LIVING AREA	1261	1261
(B)	UPPER FLOOR LIVING AREA	1833	1833
(C)	3-CAR GARAGE		660
(D)	COVERED PATIO		150
(E)	COVERED PORCH - B		256
(F)	COVERED PORCH - D		267
(G)	COVERED PORCH - G		365
	TOTAL - B	3094	4130
	TOTAL - D	3094	4223
	TOTAL - G	3094	4331
OPTIONS:			
(E)	OPT COVERED PATIO 2		420

Elevation B - Ranch
Upper Floor Plan

SCALE: 1/4"=1'-0"

DESIGN REVIEW SET 07-12-2012

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ASHTON WOODS homes

Avian Meadows
Chandler, AZ

BSB DESIGN

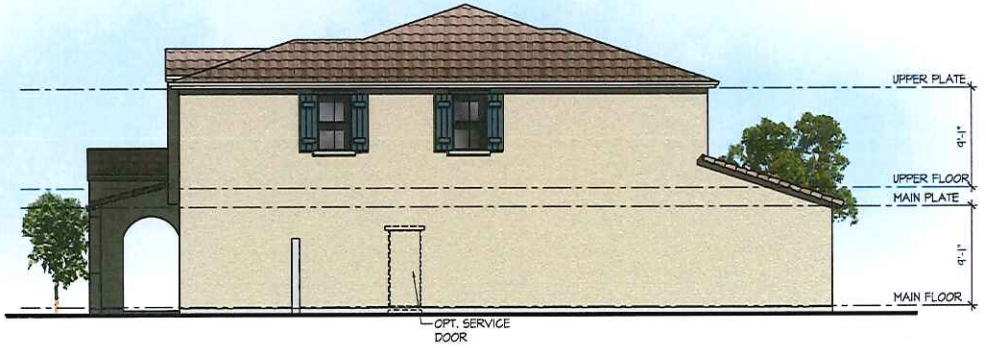
UPPER FLOOR PLAN - ELEVATION B

PLAN 4530

A2.4

Rear Elevation

scale: 3/16" = 1'-0"



Right Side Elevation

scale: 3/16" = 1'-0"

Left Side Elevation

scale: 3/16" = 1'-0"

Front Elevation

scale: 3/16" = 1'-0"

Plan 4534

Elevation A : Spanish Colonial

Color Scheme 2

Avian Meadows
Chandler, AZ

ASHTON WOODS Homes

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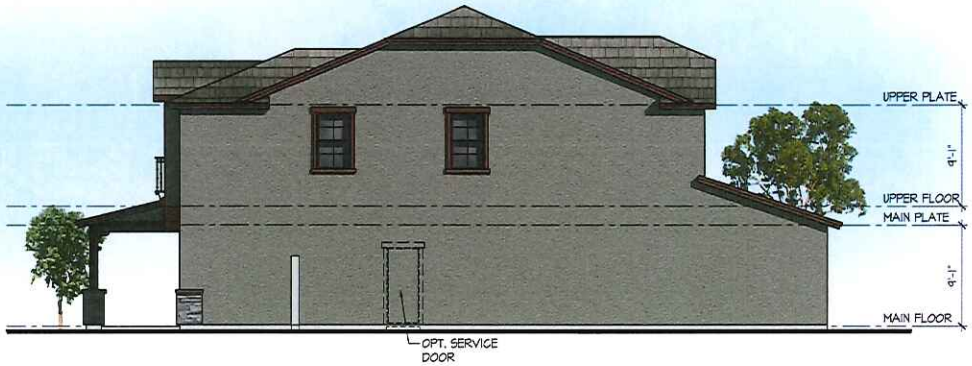
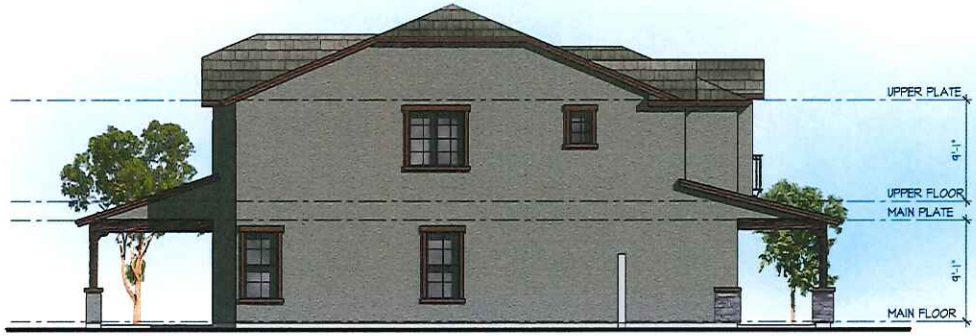
Rear Elevation
scale: 3/16" = 1'-0"



Right Side Elevation
scale: 3/16" = 1'-0"



Left Side Elevation
scale: 3/16" = 1'-0"

Front Elevation
scale: 3/16" = 1'-0"

Plan 4534
Elevation B : Ranch
Color Scheme 8

Avian Meadows
Chandler, AZ

ASHTON WOODS Homes

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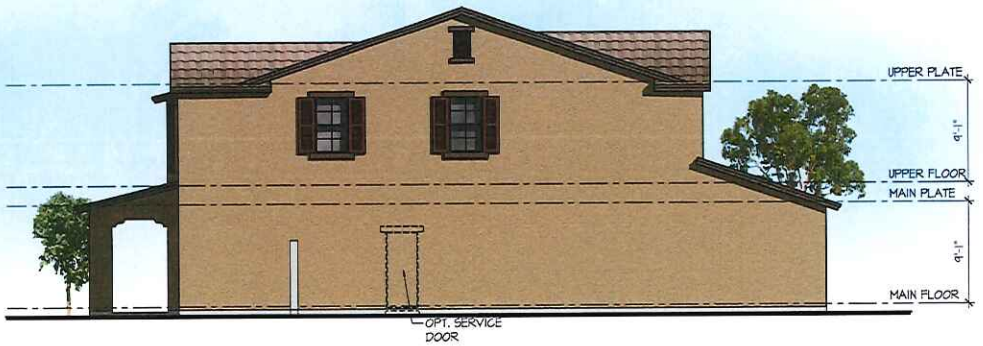
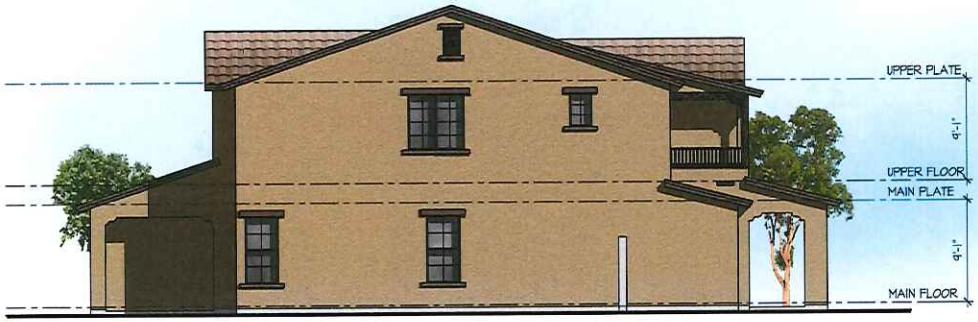
Rear Elevation
scale: 3/16" = 1'-0"



Right Side Elevation
scale: 3/16" = 1'-0"



Left Side Elevation
scale: 3/16" = 1'-0"

Front Elevation
scale: 3/16" = 1'-0"

Plan 4534
Elevation C : Spanish Monterey
Color Scheme 12

Avian Meadows
Chandler, AZ

ASHTON WOODS Homes

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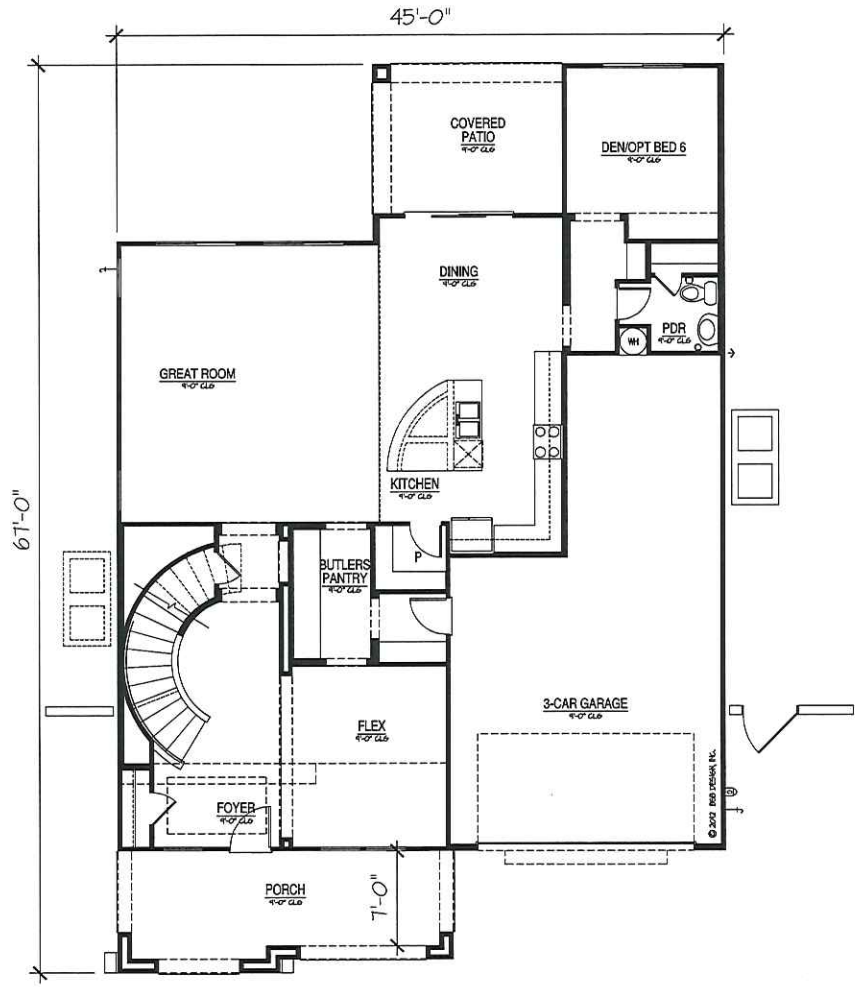


AREA SCHEDULE - PLAN 4534			
ALL ELEVATIONS:		LIVEABLE SQ. FT.	UNDER ROOF
A	MAIN FLOOR LIVING AREA	1589	1589
B	UPPER FLOOR LIVING AREA	1741	1741
C	3-CAR GARAGE		620
D	COVERED PATIO		154
E	COVERED PORCH - A		211
F	COVERED PORCH - B		199
G	COVERED PORCH - C		152
H	BALCONY - C		129
	TOTAL - A	3330	4315
	TOTAL - B	3330	4303
	TOTAL - C	3330	4385
OPTIONS:			
J	OPT COVERED PATIO 2		+190

Elevation A - Spanish Colonial
Main Floor Plan

SCALE: 1/4"=1'-0"

DESIGN REVIEW SET 07-12-2012

ISSUE DATE:
REVISIONS

ASHTON WOODS Homes
6991 E. Camelback Road
Ste. A-300
Scottsdale, AZ 85251
(480) 315-8155
(480) 423-7000

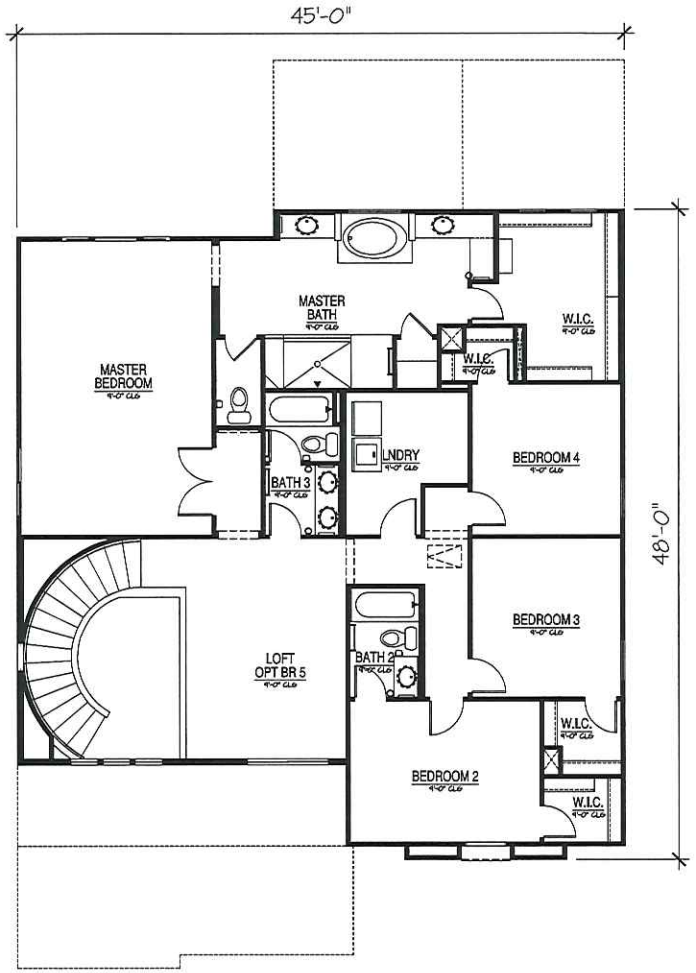
Avian Meadows
Chandler, AZ

BSB DESIGN
www.bsbdesign.com
8125 E. Indian School Rd., Suite 1001
Scottsdale, Arizona 85251
480 882 2100

JOB NO: 04P13013 PROJ MGR: CTB
DRAWN: DJB CDM CHECKED: -

MAIN FLOOR PLAN - ELEVATION A

PLAN 4534
A2.1



AREA SCHEDULE - PLAN 4534

ALL ELEVATIONS:		LIVEABLE SQ. FT.	UNDER ROOF
A	MAIN FLOOR LIVING AREA	1564	1564
B	UPPER FLOOR LIVING AREA	1741	1741
C	3-CAR GARAGE		630
D	COVERED PATIO		154
E	COVERED PORCH - A		211
F	COVERED PORCH - B		198
G	COVERED PORCH - C		152
H	BALCONY - C		124
	TOTAL - A	3330	4305
	TOTAL - B	3330	4305
	TOTAL - C	3330	4305
OPTIONS:			
J	OPT COVERED PATIO 2		+190

Elevation A - Spanish Colonial
Upper Floor Plan

SCALE: 1/4"=1'-0"

DESIGN REVIEW SET 07-12-2012

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ASHTON WOODS Homes

Avian Meadows
Chandler, AZ

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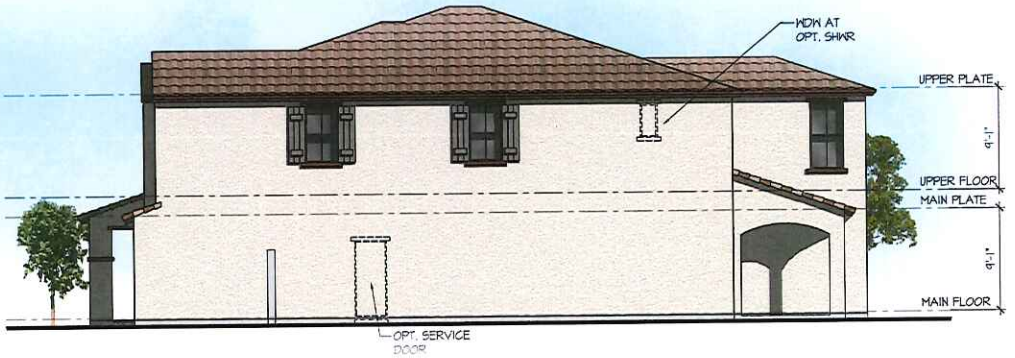
PLAN 4534

A2.4

Rear Elevation
scale: 3/16" = 1'-0"



Right Side Elevation
scale: 3/16" = 1'-0"

Left Side Elevation
scale: 3/16" = 1'-0"

Front Elevation
scale: 3/16" = 1'-0"

Plan 4538
Elevation A : Spanish Colonial
Color Scheme 3

Avian Meadows
Chandler, AZ

ASHTON WOODS homes

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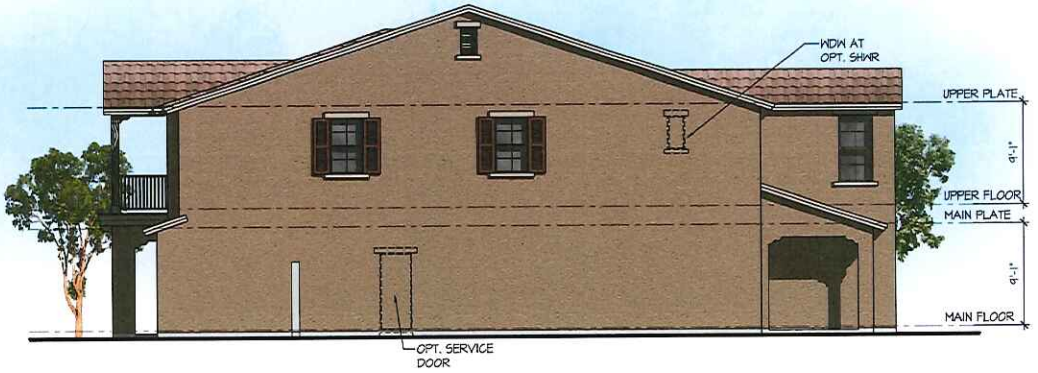
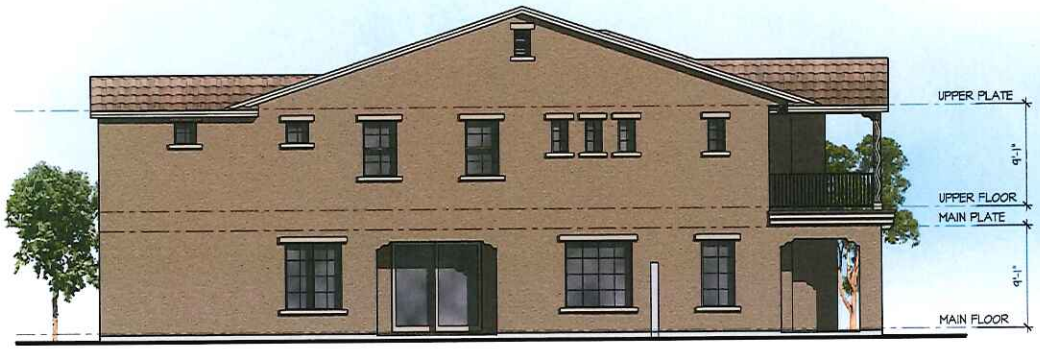
Rear Elevation
scale: 3/16" = 1'-0"



Right Side Elevation
scale: 3/16" = 1'-0"



Left Side Elevation
scale: 3/16" = 1'-0"

Front Elevation
scale: 3/16" = 1'-0"

Plan 4538
Elevation C : Spanish Monterey
Color Scheme 13

Avian Meadows
Chandler, AZ

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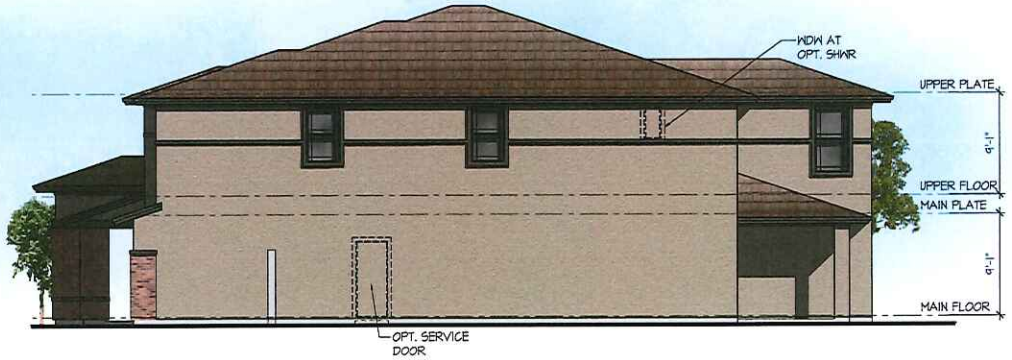
Rear Elevation
scale: 3/16" = 1'-0"



Right Side Elevation
scale: 3/16" = 1'-0"

Left Side Elevation
scale: 3/16" = 1'-0"

Front Elevation
scale: 3/16" = 1'-0"

Plan 4538
Elevation G : Prairie
Color Scheme 21

Avian Meadows
Chandler, AZ

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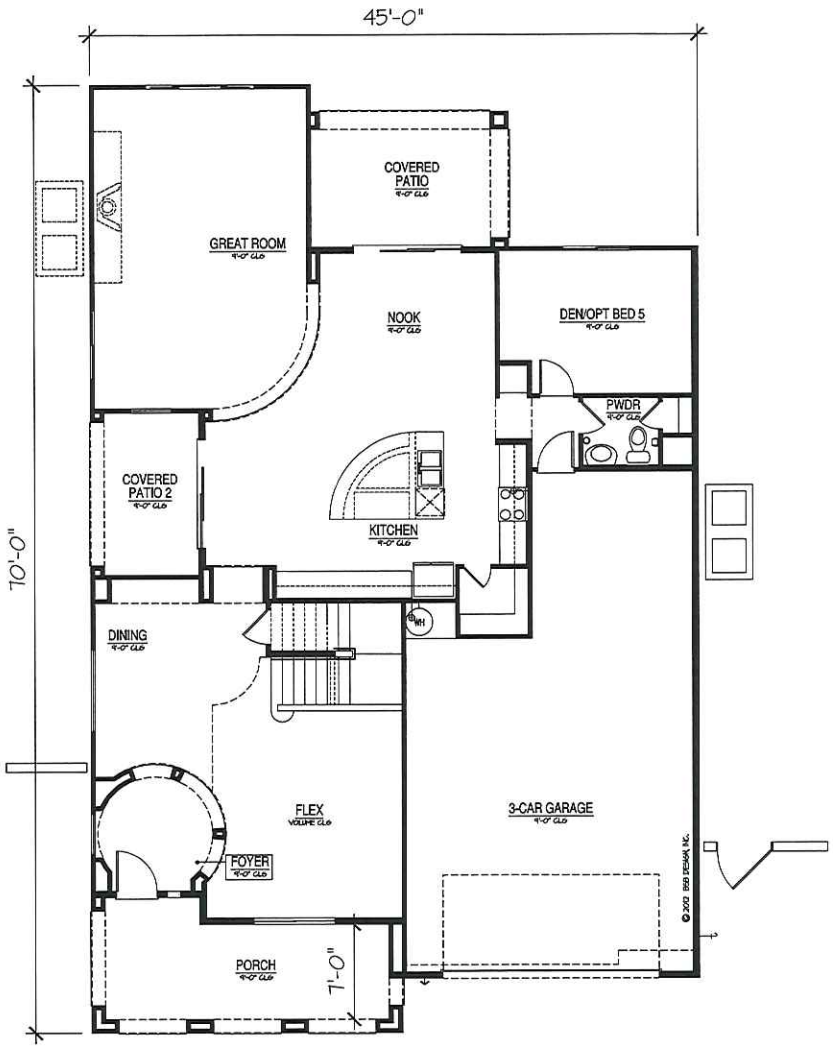

DESIGN REVIEW SET 07-12-2012

AREA SCHEDULE - PLAN 4538			
ALL ELEVATIONS:		LIVEABLE SQ.FT.	UNDER ROOF
A	MAIN FLOOR LIVING AREA	1714	1714
B	UPPER FLOOR LIVING AREA	2661	2661
C	3-CAR GARAGE		706
D	COVERED PATIO		147
E	COVERED PATIO 2		96
F	COVERED PORCH - A		116
G	COVERED PORCH - C		116
H	COVERED PORCH - G		257
J	BALCONY - C		228
	TOTAL - A	3665	5028
	TOTAL - C	3665	5241
	TOTAL - G	3665	5265
OPTIONS:			
K	SITTING ROOM		116

Elevation A - Spanish Colonial
Main Floor Plan

SCALE: 1/4"=1'-0"

ISSUE DATE

REVISIONS

ASHTON WOODS homes

Avian Meadows
Chandler, AZ

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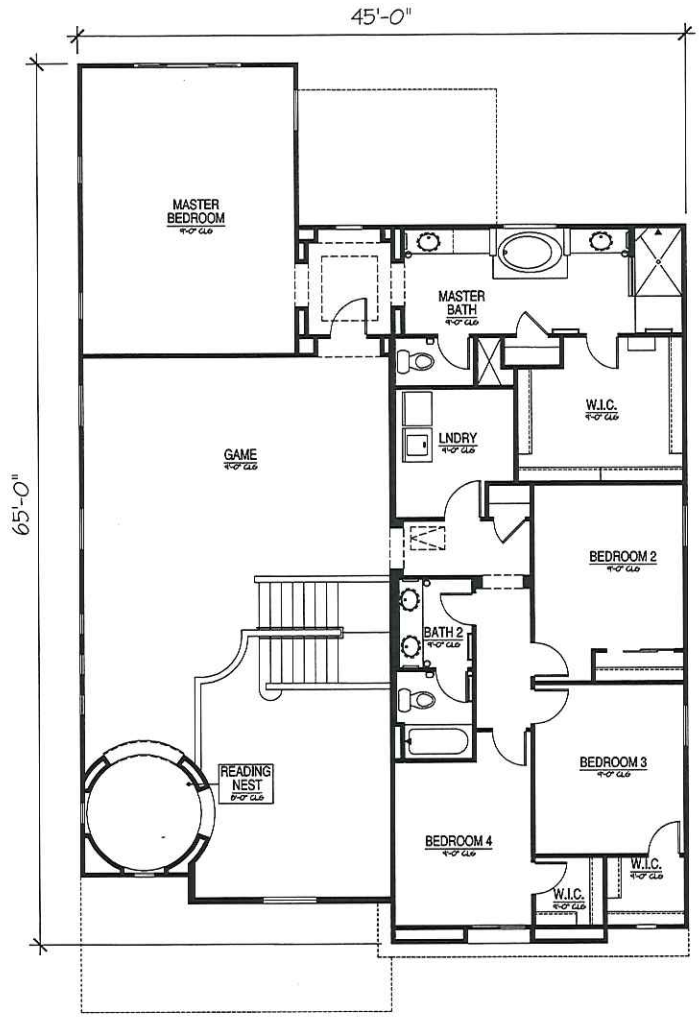
PLAN 4538
A2.1



AREA SCHEDULE - PLAN 4538			
ALL ELEVATIONS:		LIVEABLE SQ. FT.	UNDER ROOF
A	MAIN FLOOR LIVING AREA	1714	1714
B	UPPER FLOOR LIVING AREA	2164	2164
C	3-CAR GARAGE		706
D	COVERED PATIO		147
E	COVERED PATIO 2		96
F	COVERED PORCH - A		196
G	COVERED PORCH - C		196
H	COVERED PORCH - G		237
J	BALCONY - C		221
	TOTAL - A	3883	5028
	TOTAL - C	3883	5244
	TOTAL - G	3883	5265
OPTIONS:			
K	SITTING ROOM		+96

Elevation A - Spanish Colonial
Upper Floor Plan

SCALE: 1/4"=1'-0"

DESIGN REVIEW SET 07-12-2012

ISSUE DATE:

REVISIONS

ASHTON WOODS Homes

Avian Meadows
Chandler, AZ

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Scottsdale, Arizona 85251
480 663 2100

JOB NO: 04P12013 PROJ MGR: CTW
DRAWN: DJR CHM CHECKED: -

UPPER FLOOR PLAN - ELEVATION A

PLAN 4538

A2.4

ORDINANCE NO. 4202

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM AGRICULTURAL (AG-1) TO PLANNED AREA DEVELOPMENT (PAD) (DVR09-1002 AVIAN MEADOWS) LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF CHANDLER, ARIZONA.

WHEREAS, application for rezoning involving 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 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 said 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 I. Legal Description of Property:

SEE ATTACHMENT 'A'

Said parcel is hereby rezoned from AG- to PAD, subject to the following conditions:

1. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.

2. Development shall be in substantial conformance with Exhibit 8, Development Booklet, entitled "AVIAN MEADOWS", kept on file in the City of Chandler Planning Services Division, in File No. DVR09-1002, except as modified by condition herein.

3. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.

4. Undergrounding of all overhead electric (less than 69kv), communication, and television lines and any open irrigation ditches or canals located on the site or within adjacent right-of-ways and/or easements. Any 69kv or larger electric lines that must stay overhead shall be located in accordance with the City's adopted design and engineering standards. The aboveground utility

poles, boxes, cabinets, or similar appurtenances shall be located outside of the ultimate right-of-way and within a specific utility easement.

5. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual # 4).

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. 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 covenants, conditions and restrictions (CC & R's) to be filed and recorded with the subdivision shall mandate the installation of front yard landscaping within 180 days from the date of occupancy with the homeowners' association responsible for monitoring and enforcement of this requirement.

9. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or a homeowners' association.

10. Approval by the Director of Planning and Development of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Director of Public Works for arterial street median landscaping.

11. Preliminary Development Plan approval as granted herein shall apply to the subdivision layout only. Housing product shall require separate PDP submittal and approval.

12. The source of water that shall be used on the open space, common areas, and landscape tracts shall be reclaimed water (effluent). If reclaimed water is not available at the time of construction, and the total landscapable area is 10 acres in size or greater, these areas will be irrigated and supplied with water, other than surface water from any irrigation district, by the owner of the development through sources consistent with the laws of the State of Arizona and the rules and regulations of the Arizona Department of Water Resources. If the total landscapable area is less than 10 acres in size, the open space common areas, and landscape tracts may be irrigated and supplied with water by or through the use of potable water provided by the City of Chandler or any other source that will not otherwise interfere with, impede, diminish, reduce, limit or otherwise adversely affect the City of Chandler's municipal water service area nor shall such provision of water cause a credit or charge to be made against the City of Chandler's gallons per capita per day (GPCD) allotment or allocation. However, when the City of Chandler has effluent of sufficient quantity and quality which meets the requirements of the Arizona Department of Environmental Quality for the purposes intended available to the property to support the open space, common areas, and landscape tracts available, Chandler effluent shall be used to irrigate these areas.

In the event the owner sells or otherwise transfers the development to another person or entity, the owner will also sell or transfer to the buyer of the development, at the buyer's option, the water rights and permits then applicable to the development. The limitation that the water for the development is to be owner-provided and the restriction provided for in the preceding sentence shall be stated on the final plat governing the development, so as to provide notice to any future owners. The Public Report, Purchase Contracts, and Final Plats shall include a disclosure statement outlining that the Avian Meadows development shall use treated effluent to maintain open space, common areas, and landscape tracts.

13. Rear setbacks for accessory structures shall maintain the same rear setback as determined by the number of stories for the home.

14. Prior to the time of making any lot reservations or subsequent sales agreements, the home builder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the subdivision is located adjacent to or nearby an existing dairy farm and animal privileged properties that may cause adverse noise, odors, and other externalities. The "Public Subdivision Report", "Purchase Contracts", CC&R's, and the individual lot property deeds shall include a disclosure statement outlining that the site is adjacent to or nearby an existing dairy farm as well as other agricultural properties that have cow, horse, and other animal privileges, and the disclosure shall state that such uses are legal and should be expected to continue indefinitely. The disclosure shall be presented to prospective homebuyers on a separate, single form for them to read and sign prior to or simultaneously with executing a purchase agreement. This responsibility for notice rests with the homebuilder/lot developer and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.

15. All homes built on corner lots within the residential subdivision shall be single-story homes.

16. When two-story homes are built on lots that back-up to Lindsay Road, a 20-foot separation shall be provided between the homes.

17. No more than two, two-story homes shall be built side-by-side for lots that back-up to Lindsay Road.

SECTION II. Except where provided, nothing contained herein shall be construed to be an abridgment of any other ordinance of the City of Chandler.

SECTION III. The Planning & Development Department 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.

INTRODUCED AND TENTATIVELY APPROVED by the City Council of the City of Chandler, Arizona, this 10th day of December 2009.

ATTEST:

CITY CLERK MAYOR

PASSED AND ADOPTED by the Mayor and City Council of the City of Chandler, Arizona, this 14th day of January 2010.

ATTEST:

CITY CLERK MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 4202 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the 14th day of January 2010, and that a quorum was present thereat.

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

PUBLISHED in the Arizona Republic on January 22 and 29, 2010.

ATTACHMENT 'A'

Legal Description

A portion of the Southeast quarter of Section 19, Township 2 South, Range 6 East, of the Gila and Salt River Meridian, Maricopa County, Arizona more particularly described as follows:

Beginning at the East Quarter Corner of said Section 19;

Thence S 00°52'12" W, a distance of 1323.89 feet, along the East Line of the Southeast Quarter of said Section 19, to the North Line of the Southeast Quarter of the Southeast Quarter of said Section 19;

Thence continuing along said North Line of the Southeast Quarter of the Southeast Quarter of said Section 19, N 89°50'27" W, a distance of 33.00 feet to a point on the West Line of the East 33 feet of the Southeast Quarter of said Section 19;

Thence continuing along the West Line of the East 33 feet of the Southeast Quarter of said Section 19, S 00°52'12" W, a distance of 827.43 feet to a point on the South Line of the North Half of the North Half of the South Half of the Southeast Quarter of said Section 19;

Thence leaving said West Line, N 89°51'13" W, a distance of 1,289.76 feet, along said South line, to a point on the West Line of the East Half of the Southeast Quarter of said Section 19;

Thence leaving said South Line, N 00°38'03" E, a distance of 2,152.02 feet, along said West line, to a point on the North Line of the Southeast Quarter of said Section 19;

Thence leaving said West Line, S 89°49'14" E, a distance of 1,331.61 feet along said North Line to the Point of Beginning.

Containing 2,828,194 square feet or 64.926 acres more or less.