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DEC 15 2011



**MEMORANDUM**

**Transportation & Development - CC Memo No. 11-129**

**DATE:** NOVEMBER 23, 2011

**TO:** MAYOR AND CITY COUNCIL

**THRU:** RICH DLUGAS, CITY MANAGER *RD*  
PATRICK MCDERMOTT, ASSISTANT CITY MANAGER *PM*  
R.J. ZEDER, TRANSPORTATION & DEVELOPMENT DIRECTOR *RJZ*  
JEFF KURTZ, PLANNING ADMINISTRATOR *JK*  
KEVIN MAYO, PLANNING MANAGER *KM*

**FROM:** ERIK SWANSON, CITY PLANNER *ES*

**SUBJECT:** DVR11-0036 EAST OF THE SEC OF OCOTILLO AND LINDSAY ROADS  
Introduction and Tentative Adoption of Ordinance No. 4333

**Request:** The establishment of initial city zoning of Agricultural District (AG-1)

**Location:** East of the southeast corner of Ocotillo and Lindsay roads

**Applicant:** City of Chandler

**RECOMMENDATION**

The request is to establish the initial city zoning as a part of and follow up to the City's Annexation process. Upon finding the request to be consistent with the General Plan and the Southeast Chandler Area Plan (SECAP), Planning Commission and Staff recommend approval.

**BACKGROUND**

The request is to establish the initial city zoning of Agricultural District (AG-1) on an approximate 23.8-acre site located east of the southeast corner of Ocotillo and Lindsay roads. The subject site is located within the SECAP and is designated as supporting "Traditional Suburban Character" residential development.

The subject site is currently zoned R-43 within the County. Directly north, across Ocotillo Road is vacant land and single-family homes, both within the jurisdiction of the Town of Gilbert. East of the site is a partially developed subdivision that construction had started in the County, but has

since ceased. South is vacant land in the County zoned R-43. West is vacant land zoned PAD for a single-family residential subdivision.

This request, initiated by Staff, simply serves to establish the site with a zoning designation of AG-1. Consistent with State Statutes, when a property is annexed into a municipality's jurisdiction, the municipality must grant a zoning designation equivalent to the zoning designation enjoyed in the County; the AG-1 zoning designation meets this requirement. The approval of this zoning action ensures that any future development on the site shall occur in conformance with City standards. A Rezoning and Preliminary Development Plan application for a single-family residential subdivision has been filed with the City, and is currently under review.

#### **PUBLIC/NEIGHBORHOOD NOTIFICATION**

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- At the time of this writing, Staff has received one telephone call from a resident in the subdivision north of Ocotillo Road (Town of Gilbert) expressing support of the request.

#### **PLANNING COMMISSION VOTE REPORT**

Motion to Approve:

In Favor: 6    Opposed: 0    Abstain: 1 (Baron)

#### **RECOMMENDED ACTION**

Upon finding consistency with the General Plan and the SECAP, Planning Commission and Staff recommend approval of the establishment of initial city zoning of AG-1 on an approximate 23.8-acre site located east of the southeast corner of Ocotillo and Lindsay roads.

#### **PROPOSED MOTION**

Move to Introduce and tentatively adopt Ordinance No. 4333, establishment of initial city zoning of AG-1 on an approximate 23.8-acre site in case DVR11-0036 EAST OF THE SEC OF OCOTILLO AND LINDSAY ROADS, as recommended by Planning Commission and Staff.

#### **Attachments**

1. Vicinity Map
2. Ordinance No. 4333

AG-1

Town of Gilbert

Ocotillo Rd.

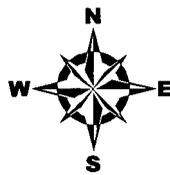
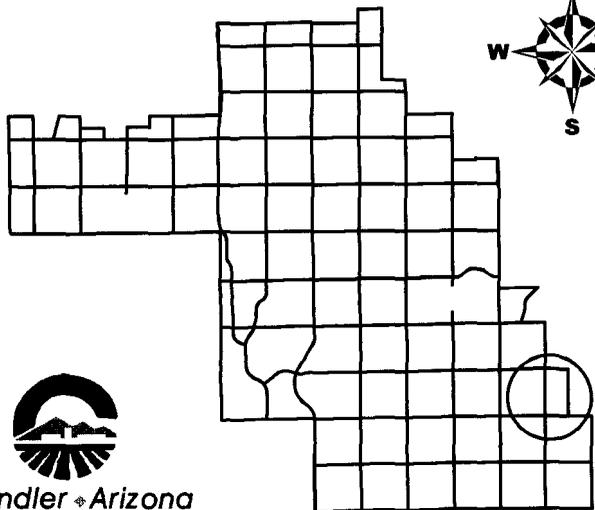
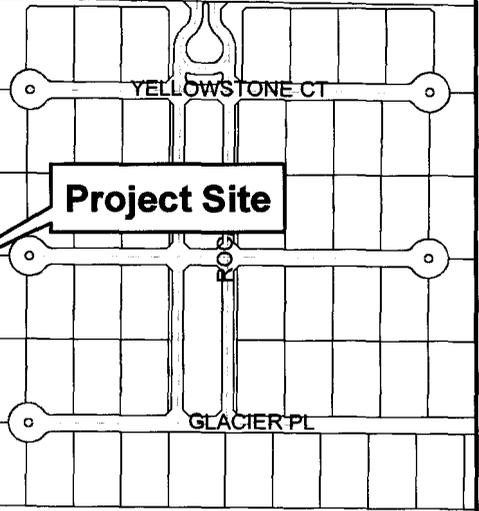
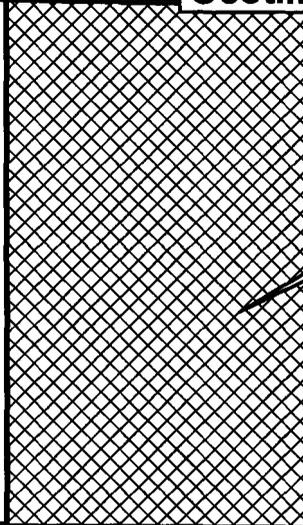
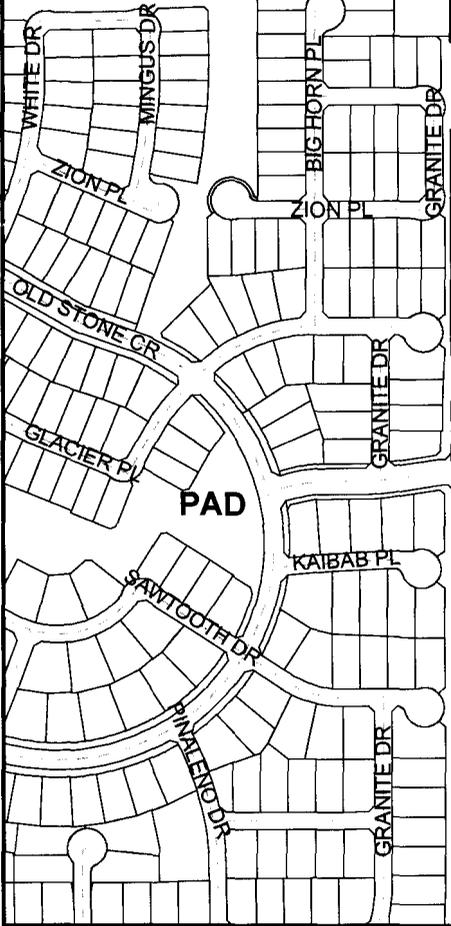
Project Site

PAD

Lindsay Rd.

PAD

COUNTY



# Vicinity Map

## Ordinance No. 4333



DVR11-0036

East of the Southeast Corner of  
Ocotillo Road and Lindsay Road-  
City Initiative



Chandler ♦ Arizona  
Where Values Make The Difference

**ORDINANCE NO. 4333**

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, ESTABLISHING INITIAL CITY ZONING OF AGRICULTURAL DISTRICT (AG-1) (DVR11-0036 EAST OF THE SOUTHEAST CORNER OF LINDSAY AND OCOTILLO ROADS) 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 Attached Exhibit 'A'*

Said parcel is hereby zoned Agricultural District (AG-1).

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.



**Exhibit "A"**  
**Pastorino Dairy**  
**Legal Description**

That part of the northwest quarter of Section 20, Township 2 South, Range 6 East, Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

Commencing at the northwest corner of said Section 20;

Thence South 89 degrees 00 minutes 01 seconds East along the north line of said Section 20, a distance of 554.13 feet to the TRUE POINT OF BEGINNING;

Thence continuing South 89 degrees 00 minutes 01 seconds East along said north line, a distance of 759.61 feet to a point from which the North quarter corner of said Section 20 is 1313.74 feet;

Thence leaving said north line South 00 degrees 00 minutes 27 seconds East a distance of 33.01 feet;

Thence South 00 degrees 00 minutes 42 seconds East a distance of 1327.91 feet;

Thence North 89 degrees 37 minutes 54 seconds West a distance of 759.69 feet;

Thence North 00 degrees 00 minutes 14 seconds West a distance of 1336.28 feet;

Thence North 00 degrees 00 minutes 27 seconds West a distance of 33.01 feet to a point on the north line of Section 20, said point also being the TRUE POINT OF BEGINNING.

Excluding the northern 33.01 feet.

Described parcel comprises an area of 1,036,908 Sq. Ft. or 23.8041 Ac, more or less.