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**MEMORANDUM                      Transportation & Development – CC Memo No. 13-020**

**DATE:**            JANUARY 25, 2013

**TO:**                MAYOR AND CITY COUNCIL

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

**FROM:**            ERIK SWANSON, CITY PLANNER <sup>ES</sup>

**SUBJECT:**        DVR12-0046 – SOUTHEAST CORNER OF ARIZONA AVENUE AND RIGGS ROAD  
                          Introduction and Tentative Adoption of Ordinance No. 4432

**Request:**        The establishment of initial city zoning of Neighborhood Commercial (C-1) and General Industrial (I-2)

**Location:**       Southeast corner of Arizona Avenue and Riggs Road

**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, Planning Commission and Staff recommend approval.

**BACKGROUND**

The request is to establish the initial city zoning of C-1 and I-2 on an approximate 2.1-acre site located at the southeast corner of Arizona Avenue and Riggs Road. The Chandler Land Use Element of the General Plan and the Southeast Chandler Area Plan both designate the area for Commercial and/or Employment type uses.

The subject site is located at the immediate corner with an electric company to the east and vacant land to the south. Both properties are within the jurisdiction of the County and zoned IND-2. West, across Arizona Avenue is a commercial center within the jurisdiction of the

County. North of Riggs Road is vacant land within the jurisdiction of Chandler currently zoned I-2.

This request, initiated by Staff, simply serves to establish the site with a zoning designation of C-1 and I-2. 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 C-1 and I-2 zoning designations meet 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 fueling station has been submitted and is currently in review.

#### **PUBLIC NEIGHBORHOOD NOTIFICATION**

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

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

Motion to Approve:

In Favor: 7    Opposed: 0

#### **RECOMMENDED ACTION**

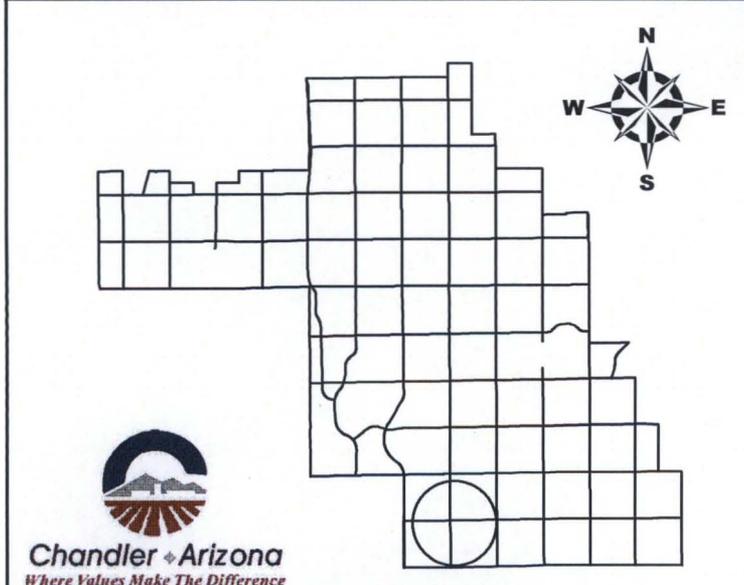
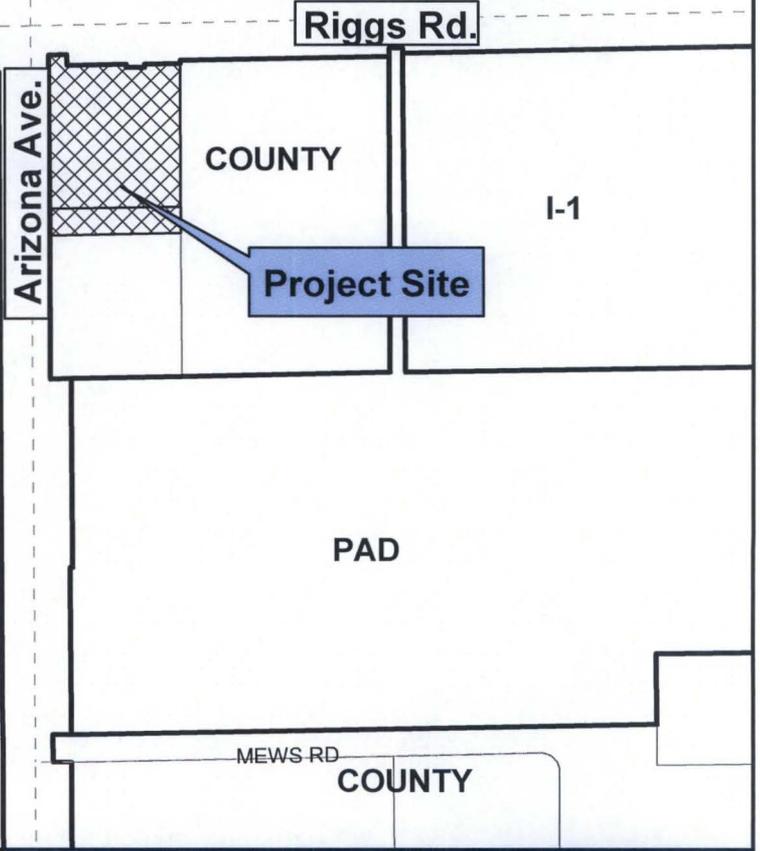
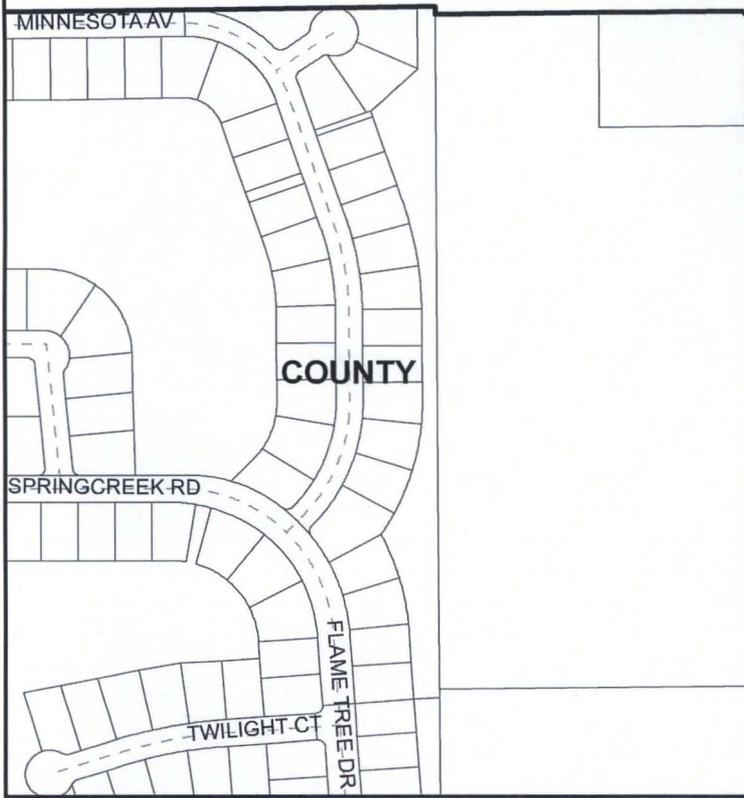
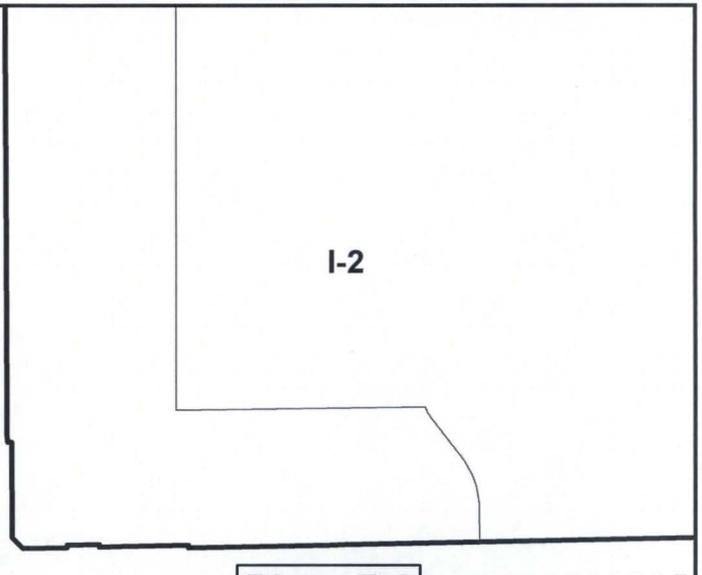
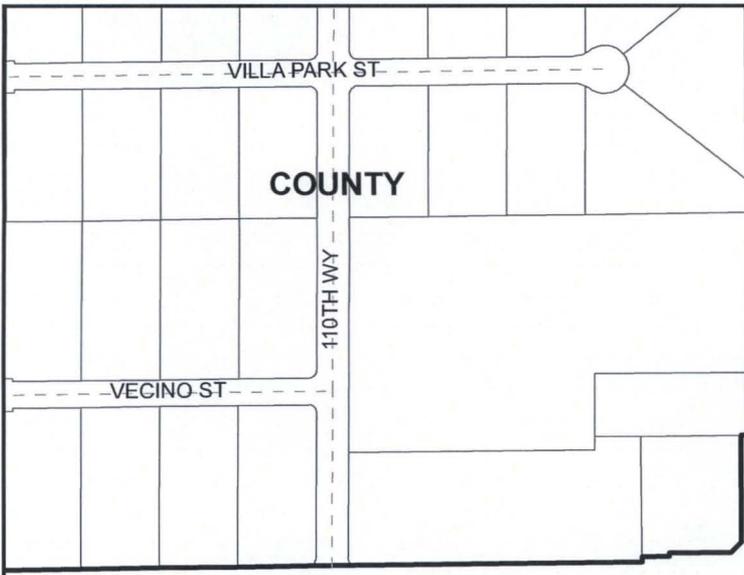
Upon finding consistency with the General Plan, Planning Commission and Staff recommend approval of the establishment of initial city zoning of C-1 and I-2 on an approximate 2.1-acre site located at the southeast corner of Arizona Avenue and Riggs Road.

#### **PROPOSED MOTION**

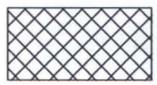
Move to Introduce and Tentatively Adopt Ordinance No. 4432, approving the establishment of initial city zoning of C-1 and I-2 on an approximate 2.1-acre site in case DVR12-0046 – SOUTHEAST CORNER OF ARIZONA AVENUE AND RIGGS ROAD, as recommended by Planning Commission and Staff.

#### **Attachments**

1. Vicinity Maps
2. Ordinance No. 4432



**Vicinity Map**



DVR12-0046

**SEC Arizona Ave. & Riggs Rd.  
City Initial Zoning**





Arizona Ave.

Riggs Rd.

Project Site

PAD

I-1

I-2

## Vicinity Map



DVR12-0046

SEC Arizona Ave. & Riggs Rd.  
City Initial Zoning



**ORDINANCE NO. 4432**

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, ESTABLISHING INITIAL CITY ZONING OF NEIGHBORHOOD COMMERCIAL (C-1) AND GENERAL INDUSTRIAL (I-2) (DVR12-0046 SEC OF ARIZONA AVENUE AND RIGGS 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 Neighborhood Commercial (C-1) and General Industrial (I-2).

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 Transportation & 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.



Legal Description  
Annexation  
EXHIBIT "A"

A portion of land situated in the Northwest Quarter of Section 34, Township 2 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

Commencing at a Found Brass Cap Flush at the Northwest Corner of said Section 34, from which a Found Brass Cap Flush at the North Quarter Corner of said Section 34 bears North 88 degrees 54 minutes 46 seconds East, a distance of 2647.13 feet;

Thence North 88 degrees 54 minutes 46 seconds East, along the North line of the Northwest Quarter of said Section 34, a distance of 33.00 feet, to the Northwest corner of that property described in City of Chandler Annexation #4220;

Thence along the Westerly and Southerly perimeter of said Annexation, the following eight courses:

Thence South 00 degrees 17 minutes 15 seconds East, parallel with and 33.00 feet East of the West line of the Northwest Quarter of said Section 34, a distance of 55.01 feet;

Thence North 88 degrees 54 minutes 46 seconds East, parallel with and 55.00 feet South of the North line of the Northwest Quarter of said Section 34, a distance of 34.01 feet;

Thence South 00 degrees 17 minutes 15 seconds East, a distance of 20.00 feet;

Thence North 88 degrees 54 minutes 46 seconds East, parallel with and 75.00 feet South of the North line of the Northwest Quarter of said Section 34, a distance of 108.66 feet;

Thence South 01 degrees 05 minutes 14 seconds East, a distance of 6.00 feet;

Thence North 88 degrees 54 minutes 46 seconds East, parallel with and 81.00 feet South of the North line of the Northwest Quarter of said Section 34, a distance of 34.00 feet;

Thence North 01 degrees 05 minutes 14 seconds West, a distance of 6.00 feet;

Thence North 88 degrees 54 minutes 46 seconds East, parallel with and 75.00 feet South of the North line of the Northwest Quarter of said Section 34, a distance of 65.34 feet;

Any modification to or omission from this description completely  
absolves the surveyor from any liability for this description.

Thence South 00 degrees 17 minutes 15 seconds East, parallel with and 275.00 feet East of the West line of the Northwest Quarter of said Section 34, a distance of 318.03 feet;

Thence South 88 degrees 54 minutes 46 seconds West, parallel with and 393.00 feet South of the North line of the Northwest Quarter of said Section 34, a distance of 275.02 feet, to a point on the West line of the Northwest Quarter of said Section 34;

Thence North 00 degrees 17 minutes 15 seconds West, along said West line, a distance of 393.04 feet, to the **POINT OF BEGINNING**.

Encompassing 90,409 square feet or 2.076 acres, more or less.

Any modification to or omission from this description completely  
absolves the surveyor from any liability for this description.