



**MEMORANDUM                      Transportation & Development - CC Memo No. 13-050**

**DATE:**            APRIL 8, 2013

**TO:**                MAYOR AND CITY COUNCIL

**THRU:**            RICH DLUGAS, CITY MANAGER *RD*  
MARSHA REED, ASSISTANT CITY MANAGER *MR*  
R.J. ZEDER, TRANSPORATION & DEVELOPMENT DIRECTOR *RJZ*  
JEFF KURTZ, PLANNING ADMINISTRATOR *JK*

**FROM:**            KEVIN MAYO, PLANNING MANAGER *KM*

**SUBJECT:**        DVR12-0040 900 E. CHANDLER BOULEVARD  
Introduction and Tentative Adoption of Ordinance No. 4451

**Request:**           Rezoning from Single Family Residential (SF-8.5) to Regional Commercial (C-3) on approximately .15 acres

**Location:**           West of the northwest corner of Chandler Boulevard and McQueen Road

**Applicant:**        Payam Shahriari

**RECOMMENDATION**

The request is for Rezoning from SF-8.5 to C-3 on approximately .15 acres. Planning Commission and Staff, upon finding consistency with the General Plan, recommend approval with conditions.

**BACKGROUND**

The subject site is located west of the northwest corner of Chandler Boulevard and McQueen Road. The subject site, and a part of the parcel to the south, are vacant. The entire property has been walled off adjacent to the residential properties to the north and east. The property is currently zoned SF-8.5 Residential. The SF-8.5 district allows for single family residential lots having a minimum lot size of 8,500 square feet and a minimum lot width of 70 feet. The surrounding properties are zoned SF-8.5 to the east, C-3 to the south and west and a residential PAD to the north.

The southern portion of the site was rezoned C-3 under Z75-009 in 1975 to allow for a non-conforming service station and multi-family use. At the time the parcel lines were consistent with the rezoning, however, it is believed that a survey error incorrectly described the project parcels and incorrectly rezoned part of the parcel to C-3 zoning. Since this initial rezone, the northern property has also been rezoned and parcel lines adjusted with updated surveys and legal descriptions, making this approximately .15 acre piece left as the outlying SF-8.5 zone on the northern 40' of this parcel. This application will correct the error and make the entire parcel zoned C-3.

The General Plan designates the site as being in the downtown revitalization/infill area and supports land assembly for commercial redevelopment.

### **DISCUSSION**

Staff supports the request. Staff finds that this application will make the site consistent with the surrounding development and existing commercial zoning of the southern portion of the parcel.

### **PUBLIC/NEIGHBORHOOD NOTIFICATION**

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

- A neighborhood meeting was held on Thursday, February 21, 2013. There was one neighbor, Mr. Fredrick Darbrodi, who attended and was in support.
- At the time of this writing, Staff is not aware of any opposition for this case.

### **PLANNING COMMISSION VOTE REPORT**

Motion to Approve.

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

### **RECOMMENDED ACTION**

Upon finding consistency with the General Plan, Planning Commission and Staff recommend approval of DVR12-0040 900 E CHANDLER BOULEVARD, Rezoning from SF-8.5 to C-3 on approximately .15 acres, subject to the following condition:

1. The rezoning request does not include a specified timing condition. This includes relief of the 1-year timing condition from the effective date of the ordinance as specified in the City Code section 35-2603.B

### **PROPOSED MOTION**

Move to introduce and tentatively adopt Ordinance No. 4451 approving DVR12-0040 900 E. CHANDLER BOULEVARD, Rezoning from SF-8.5 to C-3 on approximately .15 acres, subject to the condition as recommended by Planning Commission and Staff.

### **Attachments**

1. Vicinity Maps
2. Existing Zoning Map
3. Ordinance No. 4451
4. Proposed Zoning Map

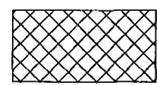
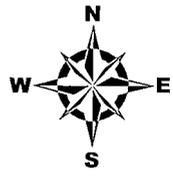
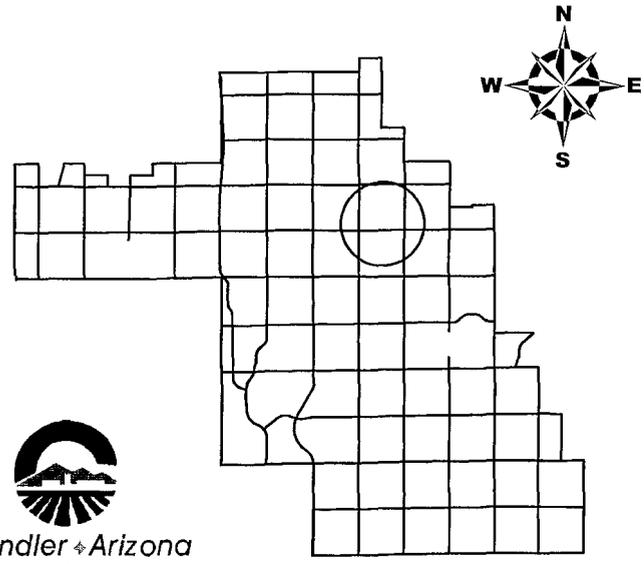


**Project Site**

**Chandler Blvd.**

**McQueen Rd.**

## Vicinity Map

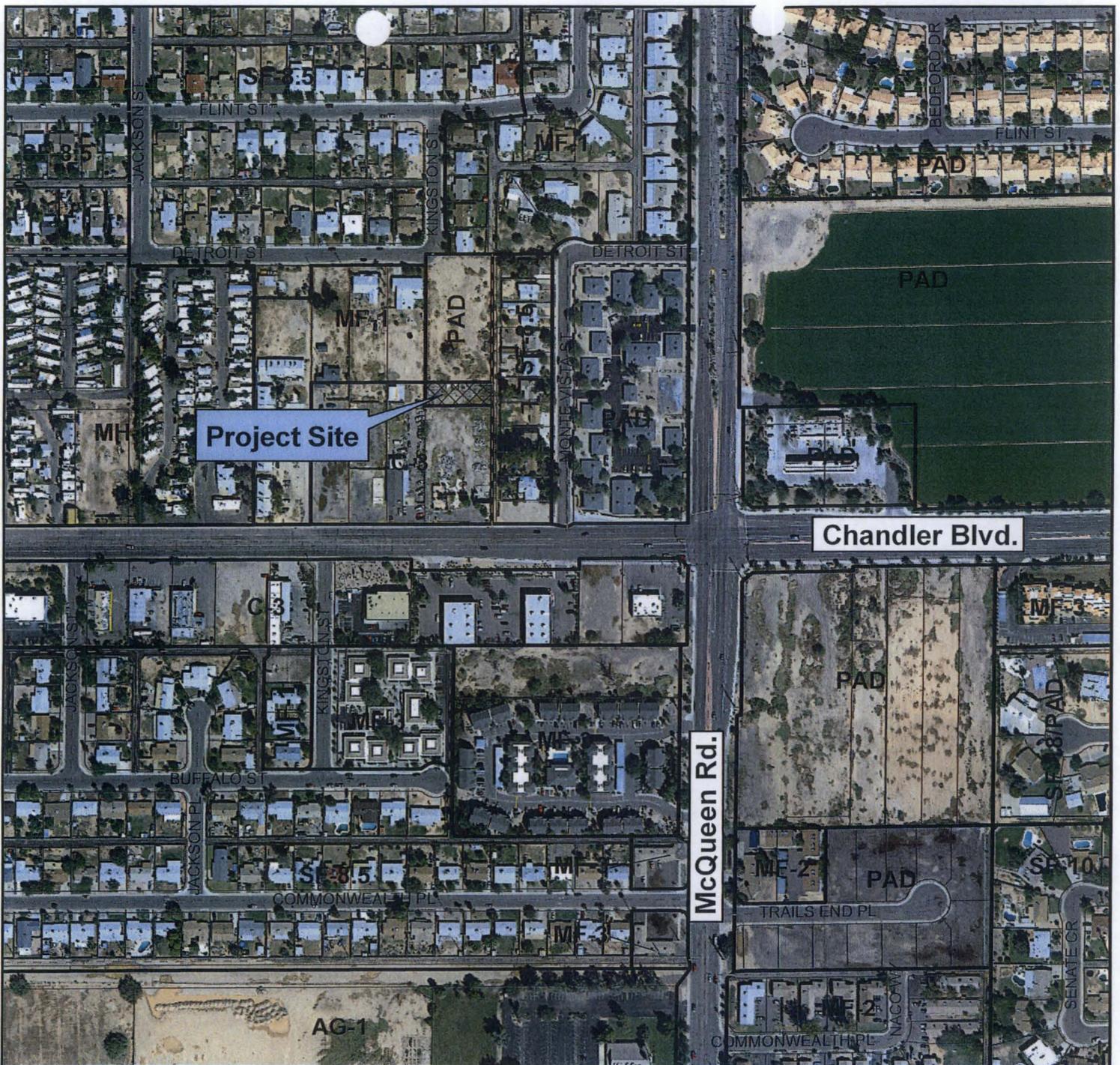


**DVR12-0040**

**900 E. Chandler Boulevard**



**Chandler Arizona**  
Where Values Make The Difference

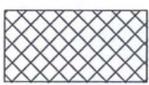
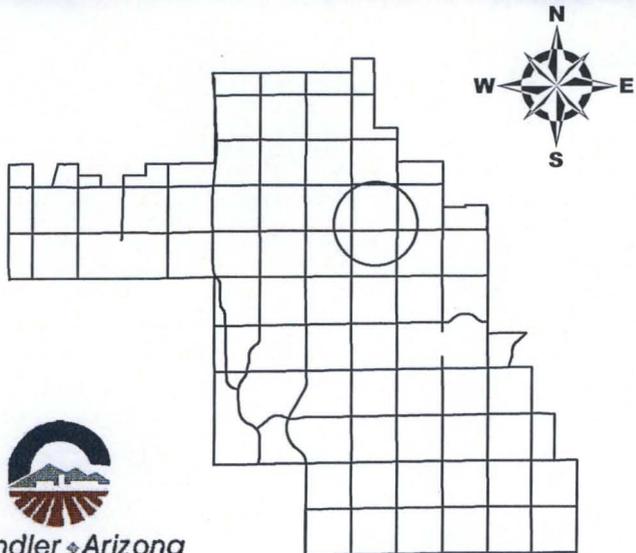


**Project Site**

**Chandler Blvd.**

**McQueen Rd.**

## Vicinity Map



**DVR12-0040**

**900 E. Chandler Boulevard**



**ORDINANCE NO. 4451**

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM SINGLE-FAMILY DISTRICT SF-8.5 TO REGIONAL COMMERCIAL DISTRICT C-3 (DVR12-0040 900 E. CHANDLER BOULEVARD) 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:

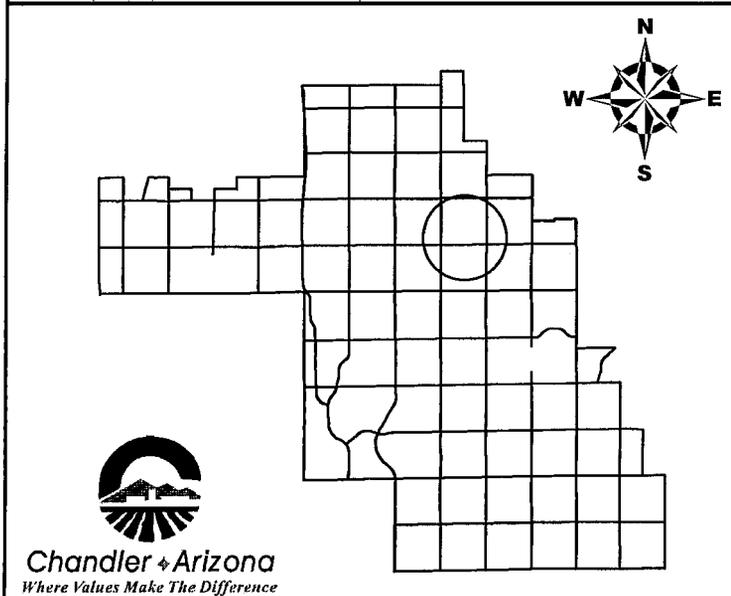
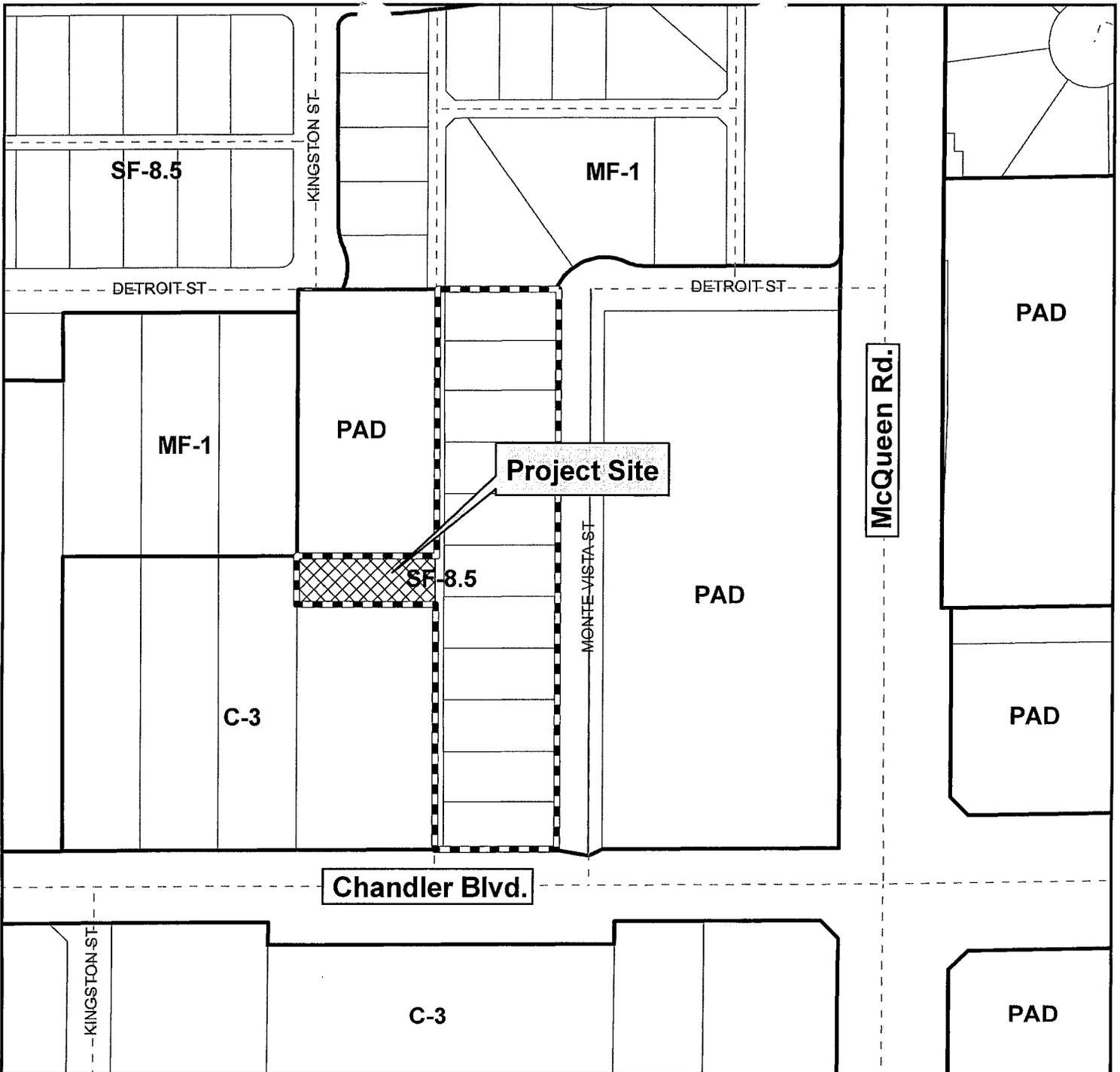
**SECTION I. Legal Description of Property:**

TH POR W2 W2 SE4 SE4 SE4 SEC 27 DAF COM AT SE COR SD SEC 27  
TH W 658.93F TO POB TH N 362.95F TH E 164.87F TH S 362.95F TH W  
164.73F TO TPOB EX S 40F & EX E 10F TH/OF.

Said parcel(s) is hereby rezoned from SF-8.5 to C-3, subject to the following condition:

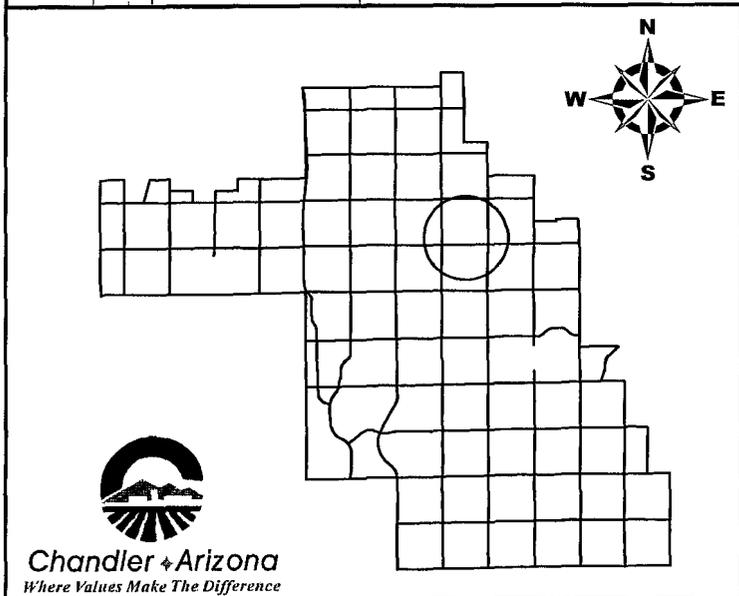
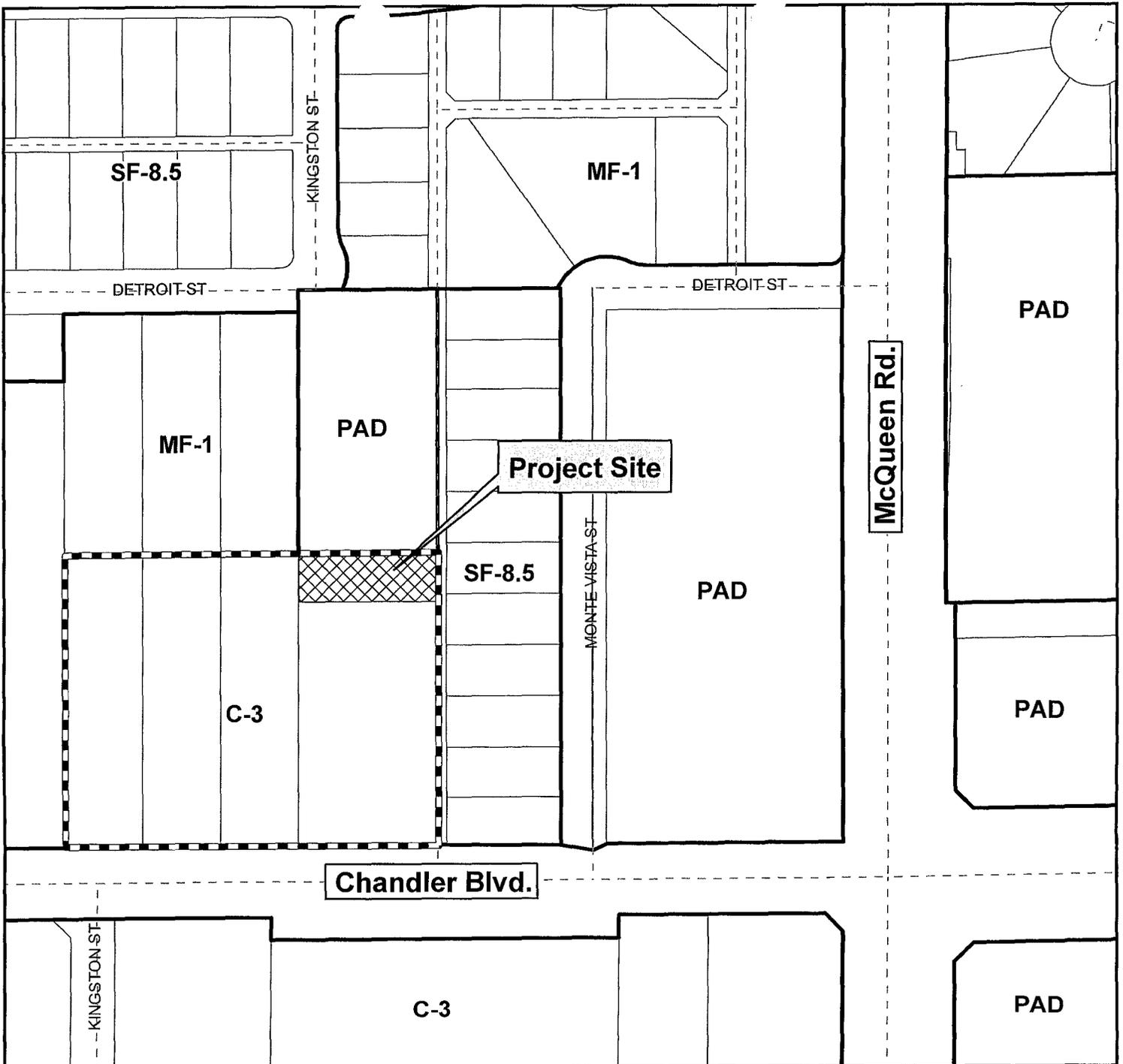
1. The rezoning request does not include a specified timing condition. This includes relief of the 1-year timing condition from the effective date of the ordinance as specified in the City Code section 35-2603.B





**Vicinity Map**

Existing Zoning SF-8.5  
 900 E. Chandler Blvd.



**Vicinity Map**

**Proposed Zoning C-3**

**900 E. Chandler Blvd.**



**Chandler + Arizona**  
Where Values Make The Difference