

# 10

SEP 26 2013

Chandler



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

**MEMORANDUM                      Transportation and Development – CC Memo No. 13-110**

**DATE:**            SEPTEMBER 26, 2013

**TO:**                MAYOR AND COUNCIL

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

**FROM:**            DAVID DE LA TORRE, AICP, PRINCIPAL PLANNER *DDT*

**SUBJECT:**        DVR13-0035 SOUTH OF THE SWC OF MCQUEEN AND OCOTILLO  
                  ROADS  
                  Introduction and Tentative Adoption of Ordinance No. 4493

- Request:            The establishment of initial city zoning of Agriculture (AG-1)
- Location:           South of the southwest corner of McQueen and Ocotillo roads
- Applicant:           City of Chandler

**RECOMMENDATION**

Upon finding the request to be consistent with Arizona Revised Statutes, Planning Commission and Planning Staff recommend approval of establishing the initial city zoning of AG-1 following the recent annexation of the subject parcels.

**BACKGROUND**

The request is to establish the initial city zoning of AG-1 on four parcels generally located south of the southwest corner of McQueen and Ocotillo roads. Parcels 1 – 3 (see attached Parcel Map) comprise of approximately 11.7 acres located about ½ mile south of Ocotillo Road and are part of a larger site that will be the subject of a proposed single family development, for which a rezoning and preliminary development plan application has been submitted and is currently in review. Parcel 4, consisting of approximately 0.7 acres, is a city owned parcel located closer to Ocotillo Road that will be utilized as a storm water retention basin.

Council held a public hearing to annex the subject parcels, including two additional parcels consisting of adjacent right-of-way, on August 15, 2013, and subsequently tentatively adopted an ordinance to annex the subject site on September 12, 2013.

All of the subject parcels were previously zoned Rural-43 in the county, which permits one dwelling unit per acre. In accordance with the statute referenced below, Planning Staff is proposing an initial city zoning of AG-1, which also limits the density to one home per acre.

Arizona Revised Statutes §9-471 states that “a city or town annexing an area shall adopt zoning classifications that permit densities and uses no greater than those permitted by the county immediately before annexation. Subsequent changes in zoning of the annexed territory shall be made according to existing procedures established by the city or town for the rezoning of land.”

**PUBLIC / NEIGHBORHOOD NOTIFICATION**

- This request was noticed according to the provisions of the City of Chandler Zoning Code.

**PLANNING COMMISSION VOTE REPORT**

Motion to Approve.

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

**RECOMMENDED ACTION**

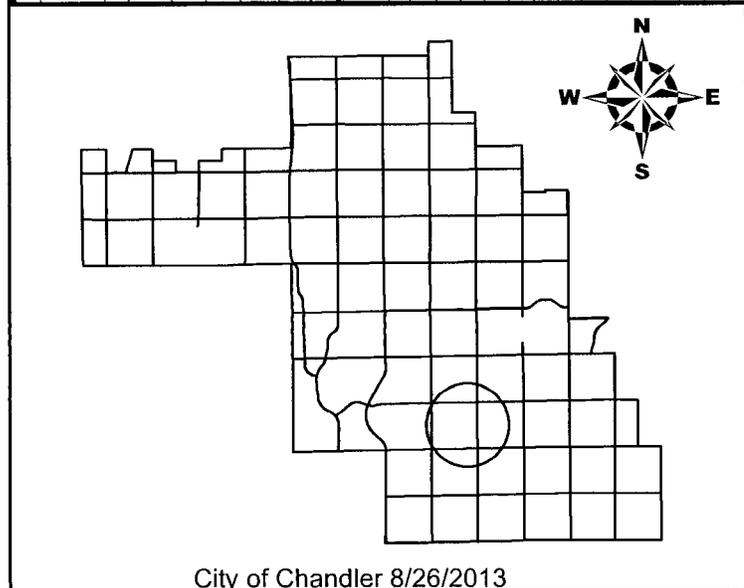
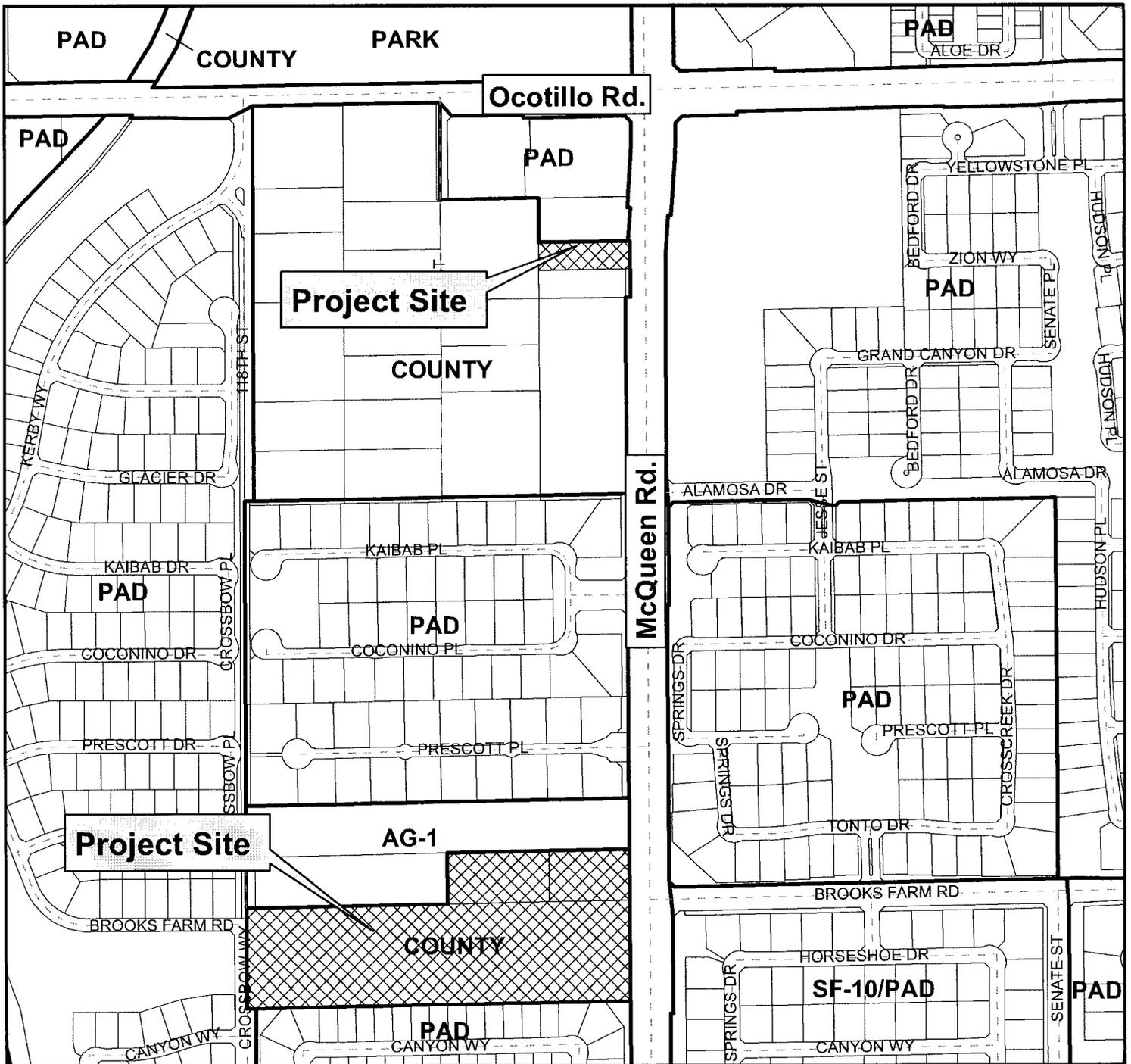
Upon finding consistency with Arizona Revised Statutes, Planning Commission and Planning Staff recommend approval of establishing the initial city zoning of AG-1 following the recent annexation of the subject site.

**PROPOSED MOTIONS**

Motion to introduce and tentatively adopt Ordinance No. 4493 establishing the initial city zoning of AG-1 on approximately 11.7 acres as represented in case DVR13-0035 SOUTH OF THE SWC OF MCQUEEN AND OCOTILLO ROADS, and as recommended by Planning Commission and Planning Staff.

**Attachments**

1. Location Maps
2. Parcel Map
3. Ordinance No. 4493



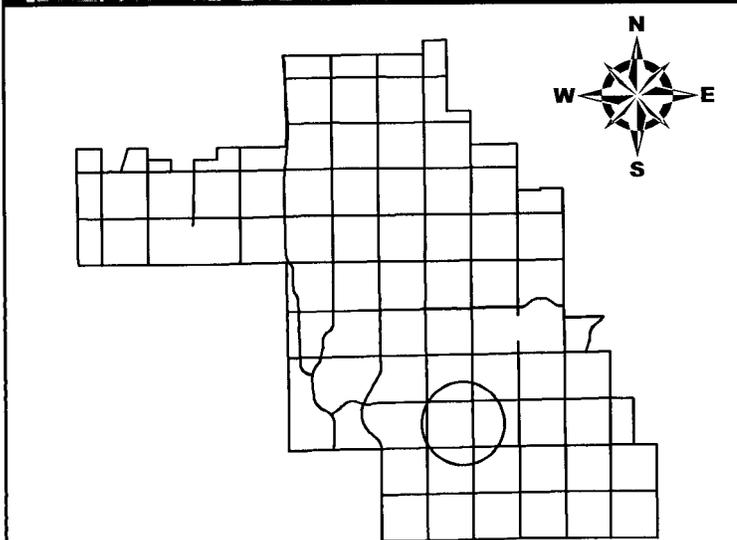
## Vicinity Map

DVR13-0035

**South of the Southwest Corner of  
McQueen and Ocotillo Roads**

0
140
280
560
840
1,120
Feet

**Exhibit A**



## Vicinity Map



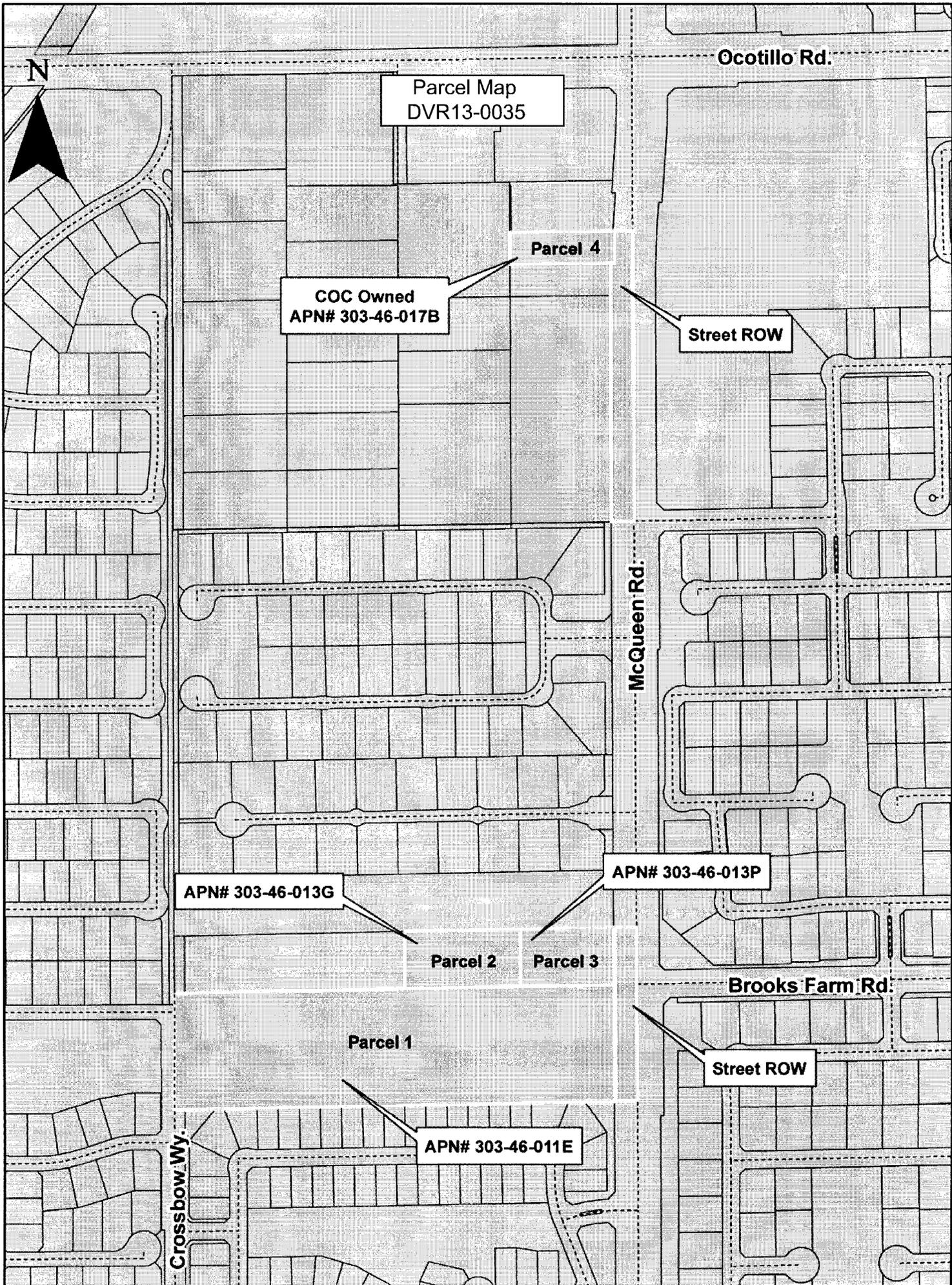
DVR13-0035

South of the Southwest Corner of  
McQueen and Ocotillo Roads

0 140 280 560 840 1,120  
Feet

Detailed description: A horizontal scale bar with alternating black and white segments. The segments are labeled with the numbers 0, 140, 280, 560, 840, and 1,120, representing distances in feet.

Exhibit A



N

Parcel Map  
DVR13-0035

Ocotillo Rd.

Parcel 4

COC Owned  
APN# 303-46-017B

Street ROW

McQueen Rd.

APN# 303-46-013G

APN# 303-46-013P

Parcel 2

Parcel 3

Brooks Farm Rd.

Parcel 1

Street ROW

APN# 303-46-011E

Crossbow Wy.

**ORDINANCE NO. 4493**

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, ESTABLISHING INITIAL CITY ZONING OF AGRICULTURAL (AG-1) (DVR13-0035 S OF THE SWC OF MCQUEEN 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', Vicinity Map and Legal Description*

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 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.

INTRODUCED AND TENTATIVELY APPROVED by the City Council of the City of Chandler, Maricopa County, Arizona, this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

ATTEST:

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona this \_\_\_\_ day  
of \_\_\_\_\_, 2013.

ATTEST:

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

**CERTIFICATION**

I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 4493 was duly passed and  
adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the  
\_\_\_\_ day of \_\_\_\_\_, 2013, and that a quorum was present thereat.

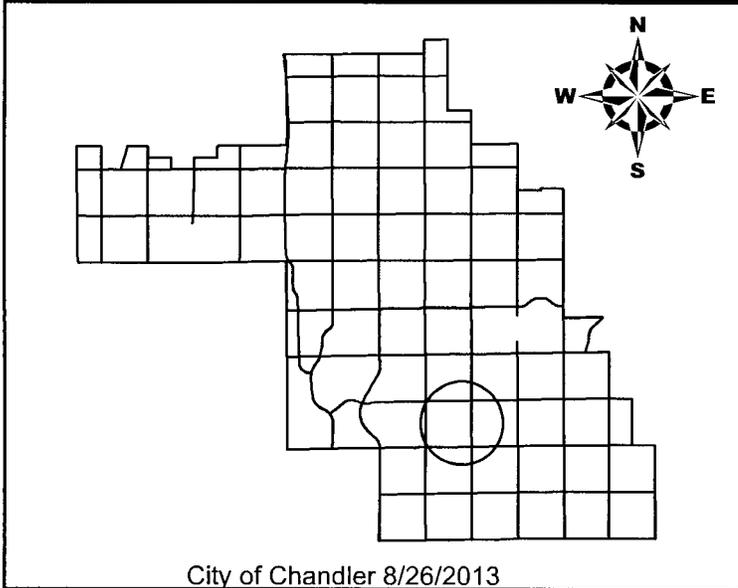
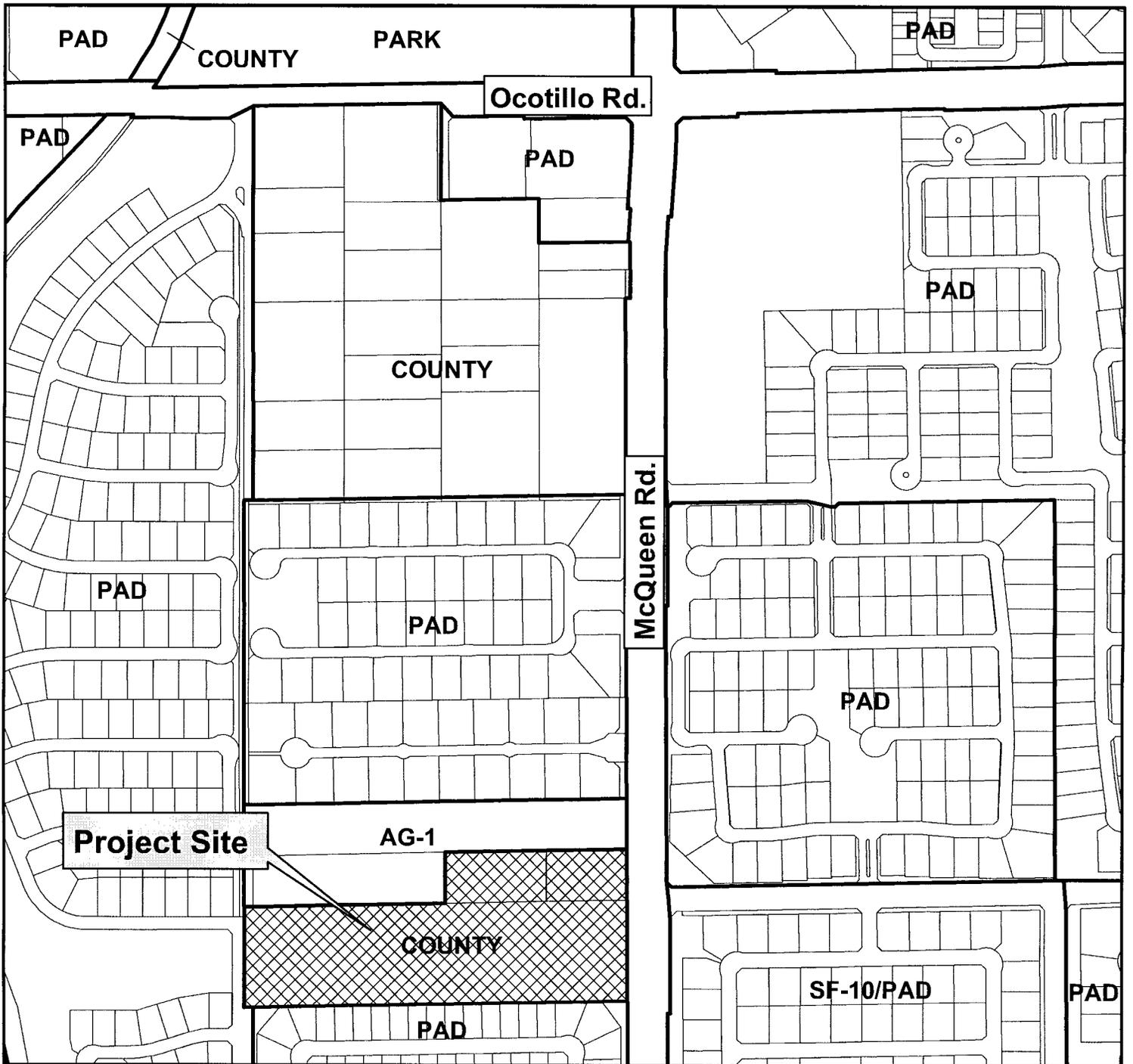
\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY

GAB

PUBLISHED:



## Vicinity Map

DVR13-0035

**South of the Southwest Corner of  
McQueen and Ocotillo Roads**

0
140
280
560
840
1,120
Feet

**Exhibit A**

**EXHIBIT A**

**LEGAL DESCRIPTION**

**PARCEL 1**

**ALL THAT CERTAIN LOT, TRACT, OR PARCEL OF LAND, SITUATED IN THE NORTH HALF OF THE NORTH HALF OF THE NORTH HALF OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**BEGINNING AT THE EAST QUARTER CORNER OF SAID SECTION 22 (3" CITY OF CHANDLER BRASS CAP IN HAND HOLE) FROM WHICH THE SOUTHEAST CORNER THEREOF (3" CITY OF CHANDLER BRASS CAP IN HAND HOLE) BEARS SOUTH 00 DEGREES 18 MINUTES 17 SECONDS EAST (MEASURED), A DISTANCE OF 2644.58 FEET;**

**THENCE SOUTH 00 DEGREES 18 MINUTES 17 SECONDS EAST (MEASURED), ALONG THE EAST LINE OF SAID SOUTHEAST, A DISTANCE OF 330.57 FEET TO THE SOUTH LINE OF THE NORTH HALF OF THE NORTH HALF OF THE NORTH HALF OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 22;**

**THENCE SOUTH 88 DEGREES 51 MINUTES 15 SECONDS WEST (MEASURED), ALONG THE SAID SOUTH LINE, A DISTANCE OF 1317.25 FEET TO A POINT ON THE WEST LINE OF THE SAID NORTH HALF OF THE NORTH HALF OF THE NORTH HALF OF THE EAST HALF OF THE SOUTHEAST QUARTER;**

**THENCE NORTH 00 DEGREES 06 MINUTES 29 SECONDS WEST (MEASURED), ALONG THE SAID WEST LINE, A DISTANCE OF 330.38 FEET TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 22;**

**THENCE NORTH 88 DEGREES 50 MINUTES 42 SECONDS EAST (MEASURED), ALONG SAID NORTH LINE OF THE SOUTHEAST QUARTER OF OF SECTION 22, A DISTANCE OF 1316.12 FEET TO THE POINT OF BEGINNING.**

**EXCEPT FOR THE EAST 65.00 FEET THEREOF AS CONVEYED TO THE CITY OF CHANDLER, AN ARIZONA MUNICIPAL CORPORATION BY GENERAL WARRANTY DEED RECORDED SEPTEMBER 13, 2011, IN INSTRUMENT NO. 2011-0759317.**

**PARCEL CONTAINING 413,587 SQUARE FEET OR 9.49 ACRES MORE OR LESS.**



**Expires 6/30/2016**

**PARCEL 2**

**ALL THAT CERTAIN LOT, TRACT, OR PARCEL OF LAND, SITUATED IN THE WEST HALF OF THE EAST HALF OF THE SOUTH HALF OF THE SOUTH HALF OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 22 (3" CITY OF CHANDLER BRASS CAP IN HAND HOLE) FROM WHICH THE NORTHEAST CORNER THEREOF (3" CITY OF CHANDLER BRASS CAP IN HAND HOLE) BEARS NORTH 00 DEGREES 18 MINUTES 12 SECONDS WEST (MEASURED), A DISTANCE OF 2645.09 FEET;**

**THENCE SOUTH 88 DEGREES 50 MINUTES 42 SECONDS WEST (MEASURED), ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 22, A DISTANCE OF 329.03 FEET TO THE SOUTHEAST CORNER OF THE WEST HALF OF THE EAST HALF OF THE SOUTH HALF OF THE SOUTH HALF OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SAID NORTHEAST QUARTER AND THE POINT OF BEGINNING;**

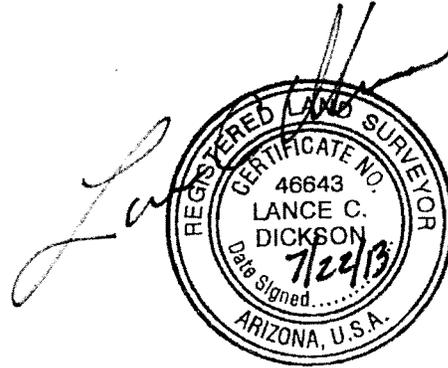
**THENCE CONTINUING SOUTH 88 DEGREES 50 MINUTES 42 SECONDS WEST (MEASURED), ALONG SAID SOUTH LINE, A DISTANCE OF 329.03 FEET TO THE WEST LINE OF THE WEST HALF OF THE EAST HALF OF THE SOUTH HALF OF THE SOUTH HALF OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SAID NORTHEAST QUARTER;**

**THENCE NORTH 00 DEGREES 12 MINUTES 18 SECONDS WEST (MEASURED), ALONG SAID WEST LINE, A DISTANCE OF 165.49 FEET TO THE NORTH LINE OF THE SOUTH HALF OF THE SOUTH HALF OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SAID NORTHEAST QUARTER;**

**THENCE NORTH 88 DEGREES 51 MINUTES 35 SECONDS EAST (MEASURED) ALONG SAID NORTH LINE, A DISTANCE OF 328.89 FEET TO THE EAST LINE OF THE WEST HALF OF THE EAST HALF OF THE SOUTH HALF OF THE SOUTH HALF OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SAID NORTHEAST QUARTER;**

THENCE SOUTH 00 DEGREES 15 MINUTES 15 SECONDS EAST (MEASURED,  
ALONG SAID EAST LINE, A DISTANCE OF 165.40 FEET TO THE POINT OF  
BEGINNING.

PARCEL CONTAINING 54,419 SQUARE FEET OR 1.25 ACRES MORE OR LESS.



Expires 6/30/2016

**PARCEL 3**

**ALL THAT CERTAIN LOT, TRACT, OR PARCEL OF LAND, SITUATED IN THE EAST HALF OF THE EAST HALF OF THE SOUTH HALF OF THE SOUTH HALF OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**BEGINNING AT THE EAST QUARTER CORNER OF SAID SECTION 22 (3" CITY OF CHANDLER BRASS CAP IN HAND HOLE) FROM WHICH THE NORTHEAST CORNER THEREOF (3" CITY OF CHANDLER BRASS CAP IN HAND HOLE) BEARS NORTH 00 DEGREES 18 MINUTES 12 SECONDS WEST (MEASURED), A DISTANCE OF 2645.09 FEET;**

**THENCE SOUTH 88 DEGREES 50 MINUTES 42 SECONDS WEST (MEASURED) , ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 22, A DISTANCE OF 329.03 FEET TO THE WEST LINE OF THE EAST HALF OF THE EAST HALF OF THE SOUTH HALF OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SAID NORTHEAST QUARTER;**

**THENCE NORTH 00 DEGREES 15 MINUTES 15 SECONDS WEST (MEASURED) , ALONG SAID WEST LINE, A DISTANCE OF 165.40 FEET TO THE NORTH LINE OF THE SOUTH HALF OF THE SOUTH HALF OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SAID NORTHEAST QUARTER;**

**THENCE NORTH 88 DEGREES 51 MINUTES 35 SECONDS EAST (MEASURED) ALONG SAID NORTH LINE, A DISTANCE OF 328.89 FEET TO THE EAST LINE OF THE SAID NORTHEAST QUARTER;**

**THENCE SOUTH 00 DEGREES 18 MINUTES 12 SECONDS EAST (MEASURED), ALONG SAID EAST LINE OF THE NORTHEAST QUARTER, A DISTANCE OF 165.32 FEET TO THE POINT OF BEGINNING.**

**EXCEPT THE EAST 65.00 FEET THEREOF AS CONVEYED TO THE CITY OF CHANDLER, AN ARIZONA MUNICIPAL CORPORATION BY GENERAL WARRANTY DEED RECORDED DECEMBER 21, 2011, IN INSTRUMENT NO. 2011-1050364.**

**PARCEL CONTAINING 43,644 SQUARE FEET OR 1.00 ACRES MORE OR LESS.**



Expires 6/30/2016