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MEMORANDUM **Transportation and Development – CC Memo No. 13-111**

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 RZ
JEFF KURTZ, PLANNING ADMINISTRATOR
KEVIN MAYO, PLANNING MANAGER KM

FROM: DAVID DE LA TORRE, AICP, PRINCIPAL PLANNER DDLT

SUBJECT: DVR13-0036 NORTH OF THE NWC OF COOPER AND CHANDLER HEIGHTS ROADS
Introduction and Tentative Adoption of Ordinance No. 4494

Request: The establishment of initial city zoning of Agriculture (AG-1)

Location: North of the northwest corner of Cooper and Chandler Heights 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 site.

BACKGROUND

The request is to establish the initial city zoning of AG-1 on an approximate 2.5-acre site that consists of two undeveloped parcels. The property owners intend to build their home on the western parcel and the remaining parcel would be left for agricultural uses or more single family homes in the future.

The subject site is bordered to the south by two unincorporated rural residential properties each containing one home. To the north are vacant parcels that will soon be developed as the Calabria subdivision and to the east and west past Cooper Road and Tower Avenue are existing single family developments.

Council held a public hearing to annex the subject site on August 15, 2013, and subsequently tentatively adopted an ordinance to annex the subject site on September 12, 2013.

The subject site was 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

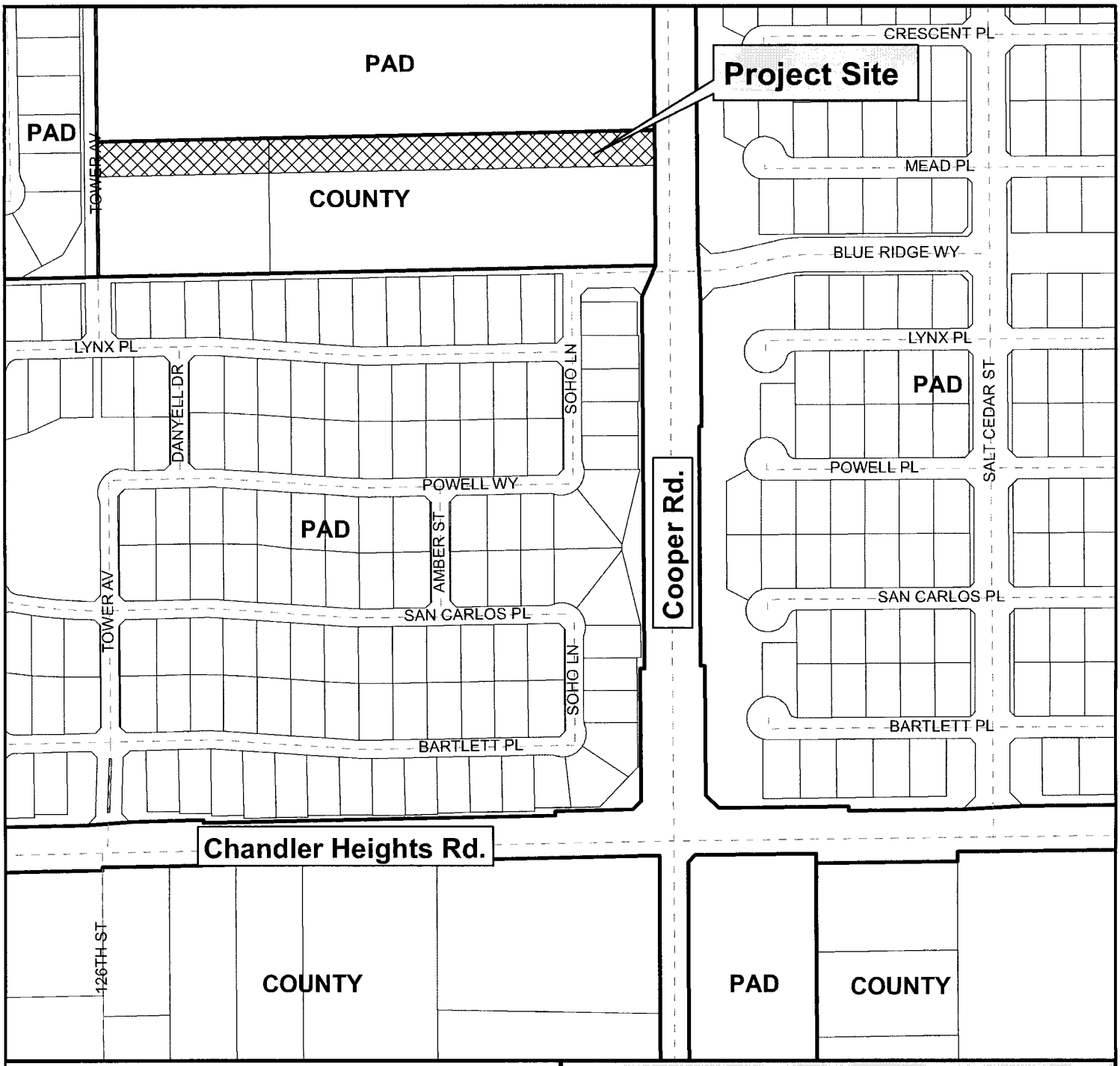
Upon finding consistency with Arizona Revised Statutes, Planning Commission and Planning Staff recommend approval of establishing the initial city zoning of AG-1 following the recent annexation of the subject site.

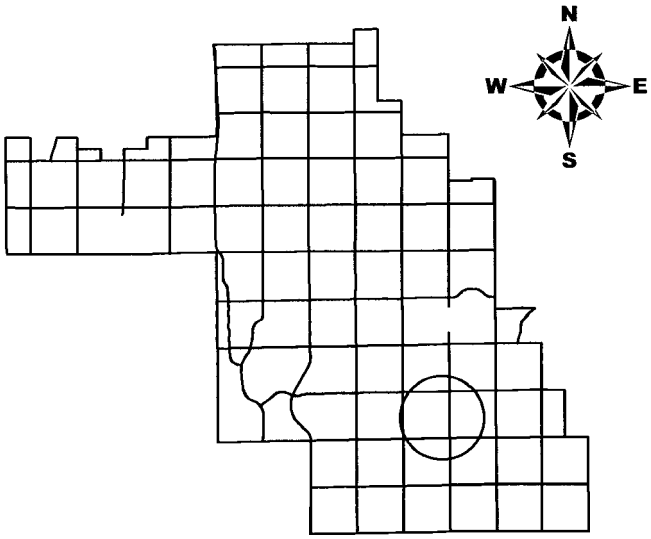
PROPOSED MOTION

Motion to introduce and tentatively adopt Ordinance No. 4494 establishing the initial city zoning of AG-1 on approximately 2.5 acres as represented in case DVR13-0036 NORTH OF THE NWC OF COOPER AND CHANDLER HEIGHTS ROADS, and as recommended by Planning Commission and Planning Staff.

Attachments

1. Location Maps
2. Ordinance No. 4494





City of Chandler 8/26/2013

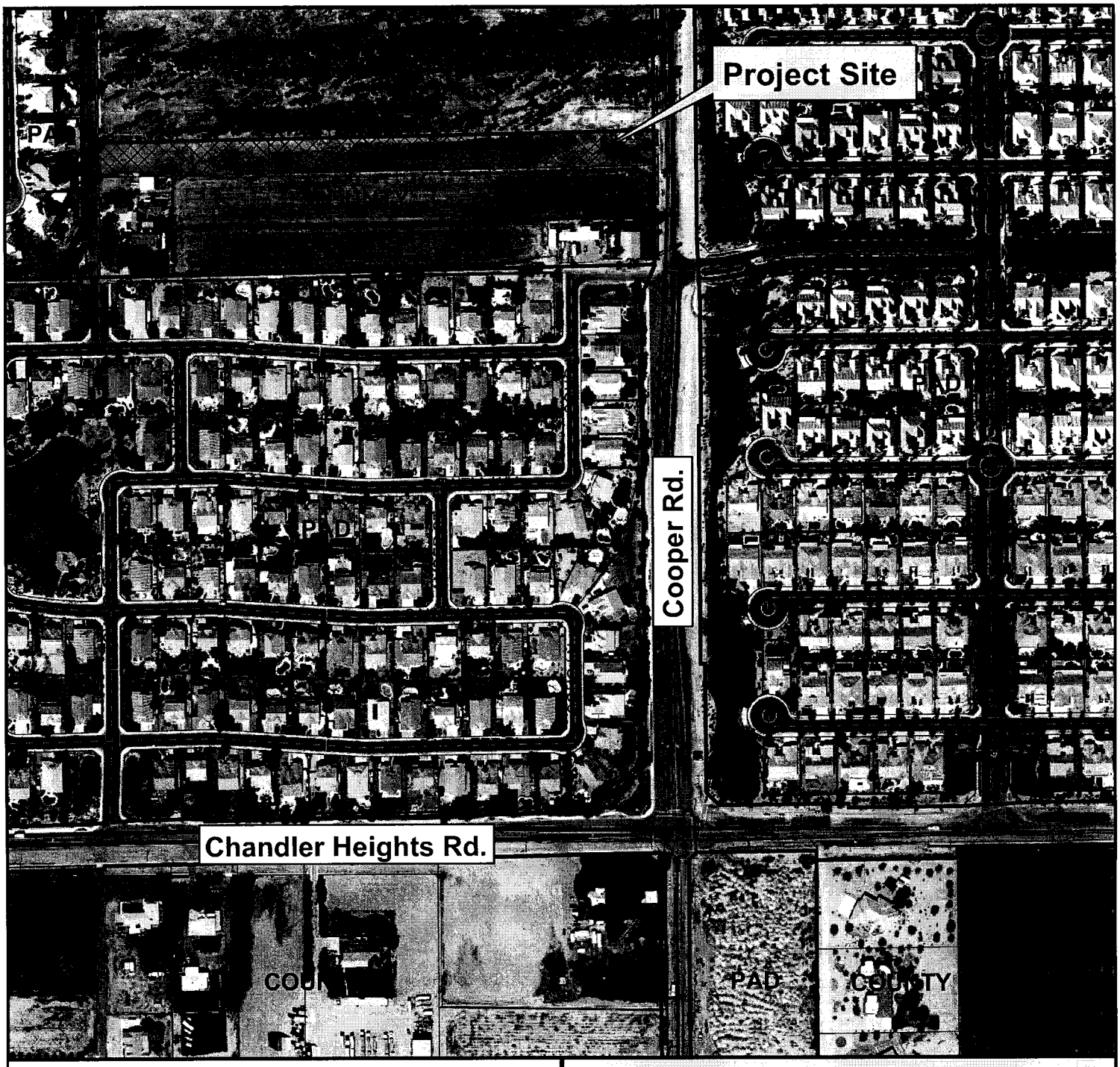
Vicinity Map

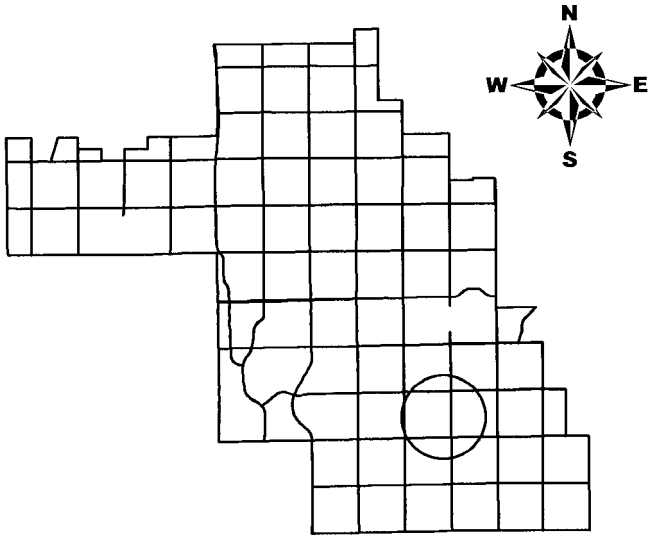
DVR13-0036

North of the Northwest Corner of Cooper and Chandler Heights Roads

0 100 200 400 600 800 Feet

Exhibit A





City of Chandler 8/26/2013

Vicinity Map

DVR13-0036

North of the Northwest Corner of Cooper and Chandler Heights Roads

0 100 200 400 600 800 Feet

Exhibit A

ORDINANCE NO. 4494

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, ESTABLISHING INITIAL CITY ZONING OF AGRICULTURAL (AG-1) (DVR13-0036 N OF THE NWC OF COOPER AND CHANDLER HEIGHTS 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

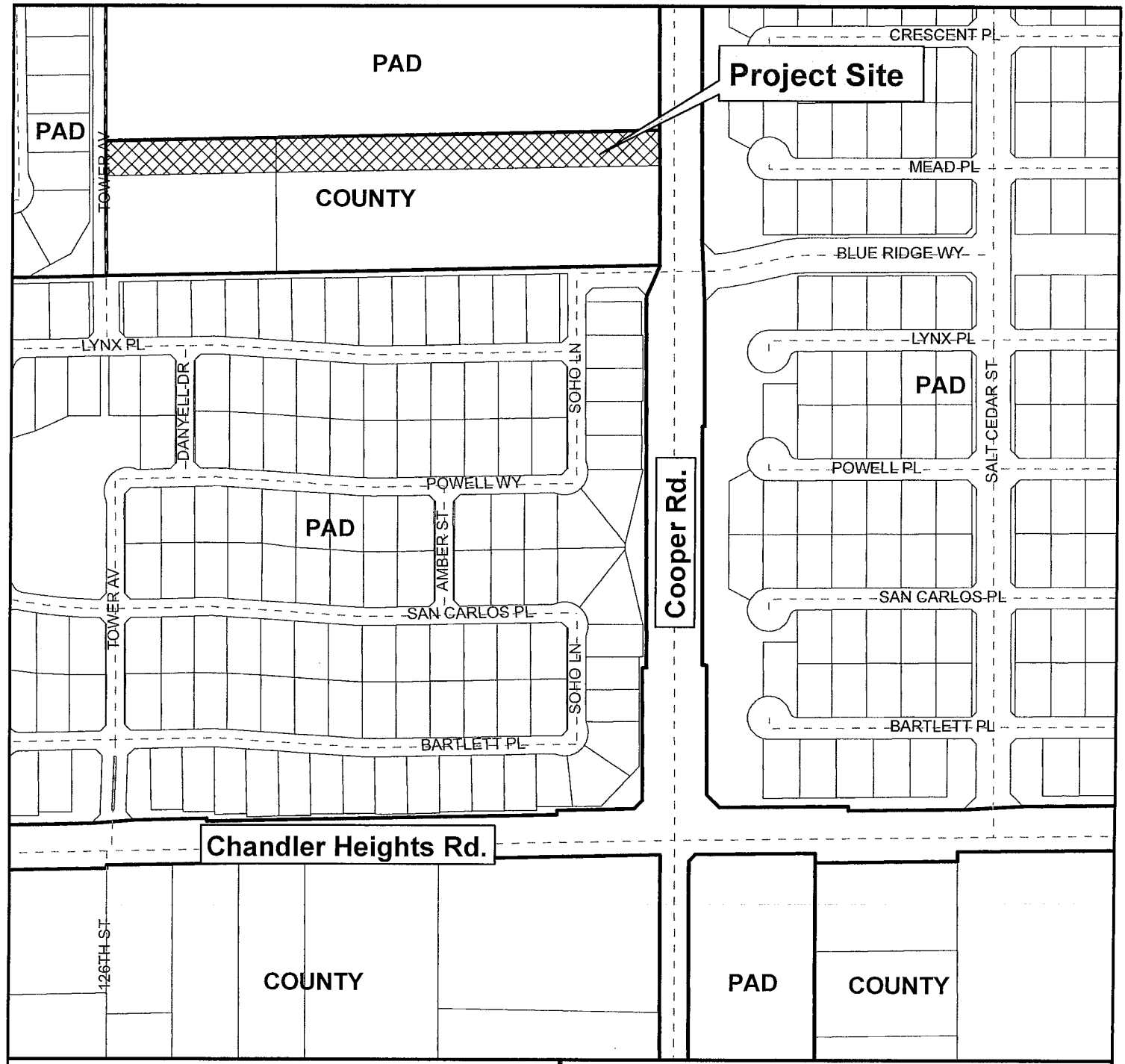
I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 4494 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the _____ day of _____, 2013, and that a quorum was present thereat.

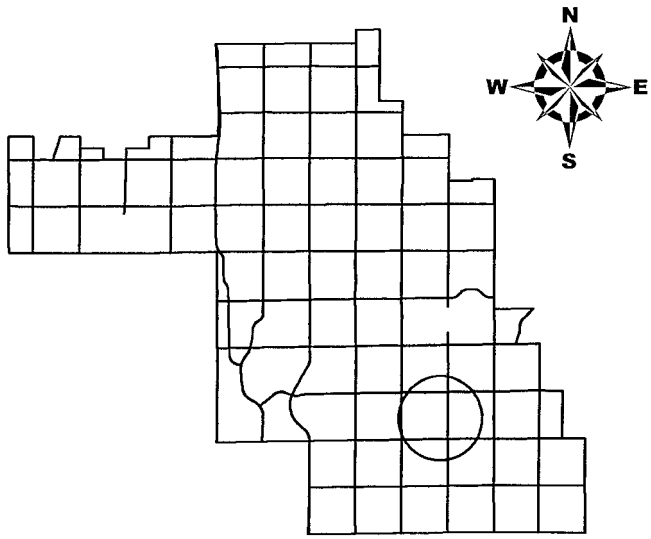
_____
CITY CLERK

APPROVED AS TO FORM:

_____
CITY ATTORNEY GAB

PUBLISHED:





City of Chandler 8/26/2013

Vicinity Map

DVR13-0036

North of the Northwest Corner of Cooper and Chandler Heights Roads

0 100 200 400 600 800 Feet

Exhibit A

EXHIBIT A

LEGAL DESCRIPTION PARCEL 1

All that certain parcel of land situated in the County of Maricopa, State of Arizona, being known and designated as follows;

A portion of the Southeast Quarter of Section 23, Township 2 South, Range 5 East, Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

The West 400 feet of the following described property:

The North Half of the North Half of the South Half of the South Half of the Northeast Quarter of the Southeast Quarter of Section 23, Township 2 South, Range 5 East of the Gila and Salt River Base and Meridian, records of Maricopa County, Arizona;

LEGAL DESCRIPTION PARCEL 2

All that certain parcel of land situated in the County of Maricopa, State of Arizona, being known and designated as follows;

A portion of the Southeast Quarter of Section 23, Township 2 South, Range 5 East, Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

The North Half of the North Half of the South Half of the South Half of the Northeast Quarter of the Southeast Quarter of Section 23, Township 2 South, Range 5 East of the Gila and Salt River Base and Meridian, records of Maricopa County, Arizona.

Except the West 400 feet and Except the East 33 feet thereof.