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SEP 26 2013
Chandler
All-America City
2010

MEMORANDUM **Transportation and Development – CC Memo No. 13-112**

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 *J*
KEVIN MAYO, PLANNING MANAGER *KA*

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

SUBJECT: DVR13-0037 NORTHEAST CORNER OF GILBERT AND QUEEN CREEK ROADS
Introduction and Tentative Adoption of Ordinance No. 4495

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

Location: Northeast corner of Gilbert and Queen Creek 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 a vacant 4.8 acre site located at the northeast corner of Gilbert and Queen Creek roads. The site is bordered by a church to the north and existing rural residential homes to the east. The property owner intends to submit a rezoning application in the near future to allow the development of a convenience store and gas station.

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

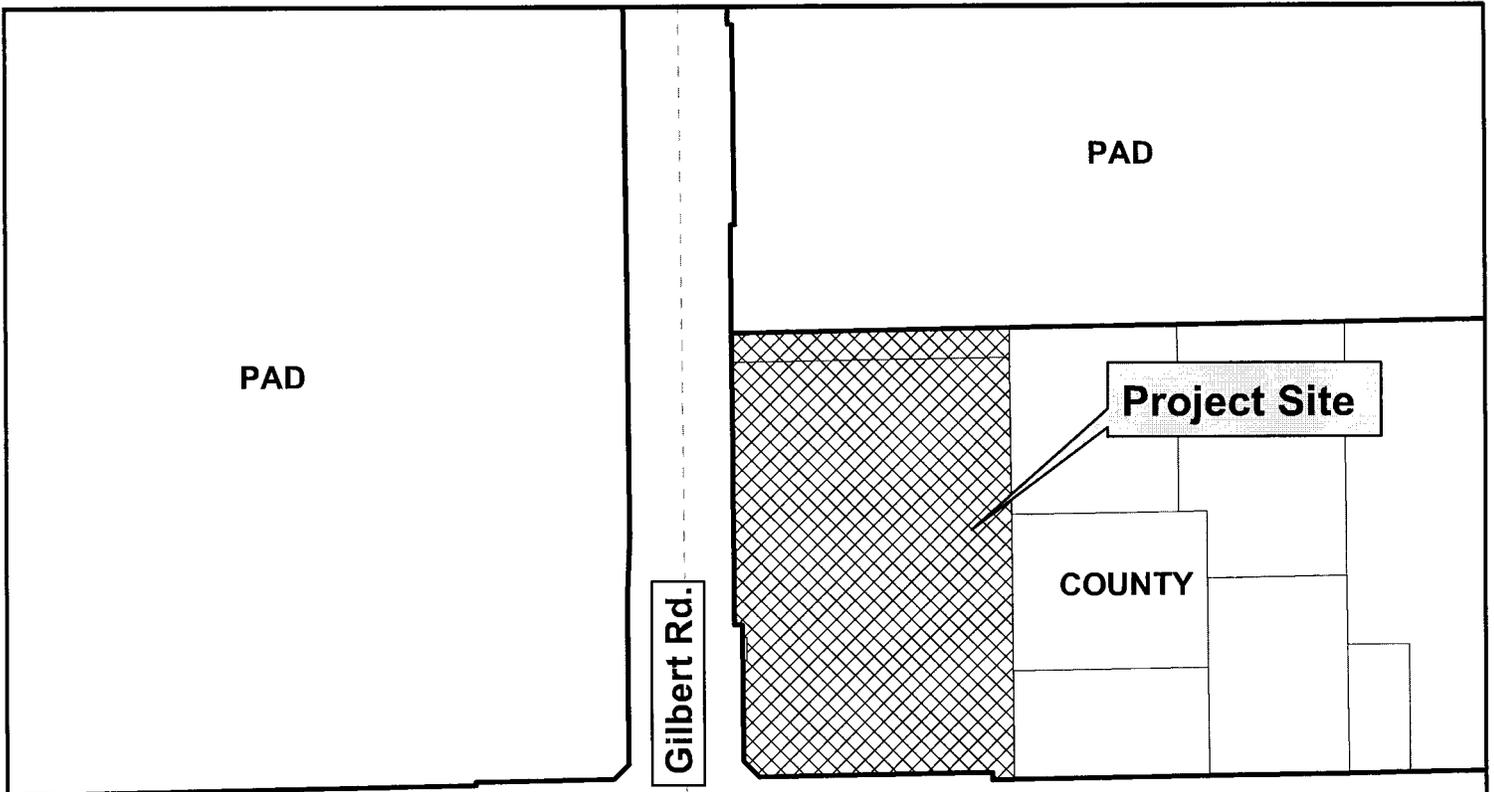
Upon finding consistency with Arizona Revised Statutes, Planning Commission and Planning Staff recommend approval of establishing the initial city zoning of AG-1 following the recent annexation of the subject site.

PROPOSED MOTION

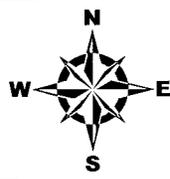
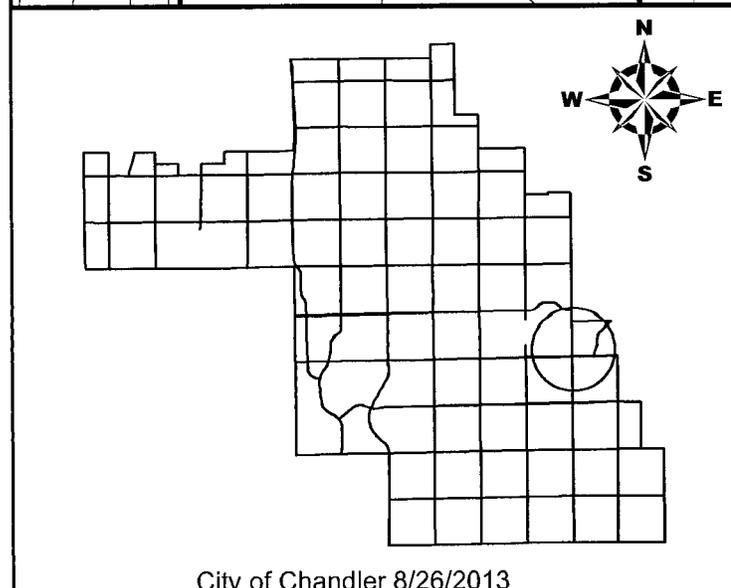
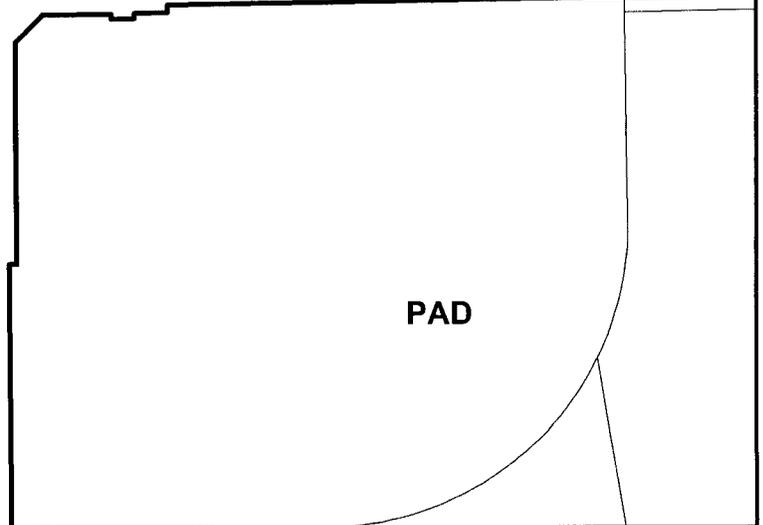
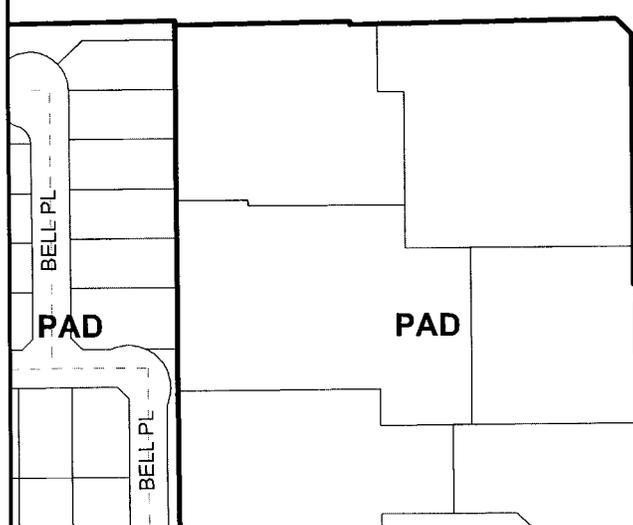
Motion to introduce and tentatively adopt Ordinance No. 4495 establishing the initial city zoning of AG-1 on approximately 4.8 acres as represented in case DVR13-0037 NORTHEAST CORNER OF GILBERT AND QUEEN CREEK ROADS, and as recommended by Planning Commission and Planning Staff.

Attachments

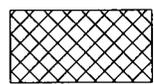
1. Location Maps
2. Ordinance No. 4495



Queen Creek Rd.



Vicinity Map



DVR13-0037

Northeast Corner of Gilbert Road and Queen Creek Road

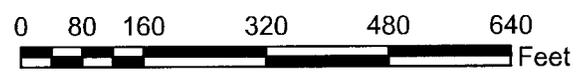
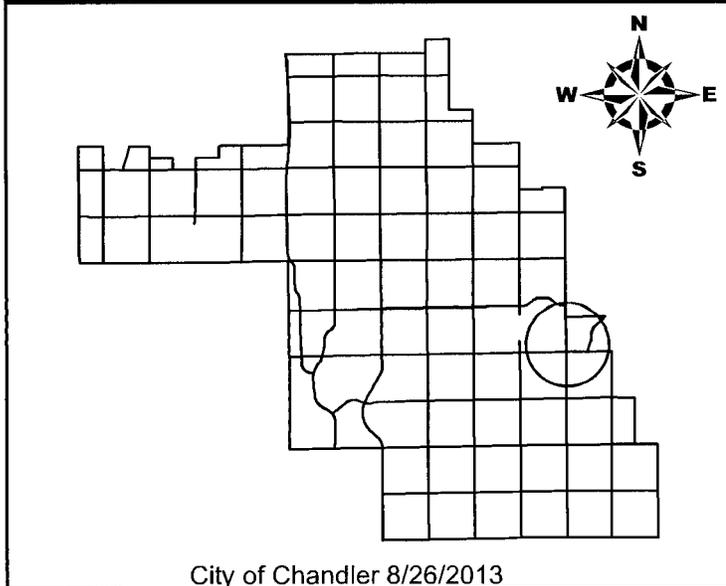
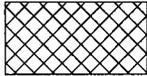


Exhibit A



Vicinity Map

 DVR13-0037

**Northeast Corner of Gilbert Road
and Queen Creek Road**

0 80 160 320 480 640 Feet

Exhibit A

ORDINANCE NO. 4495

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, ESTABLISHING INITIAL CITY ZONING OF AGRICULTURAL (AG-1) (DVR13-0037 NEC OF GILBERT AND QUEEN CREEK 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

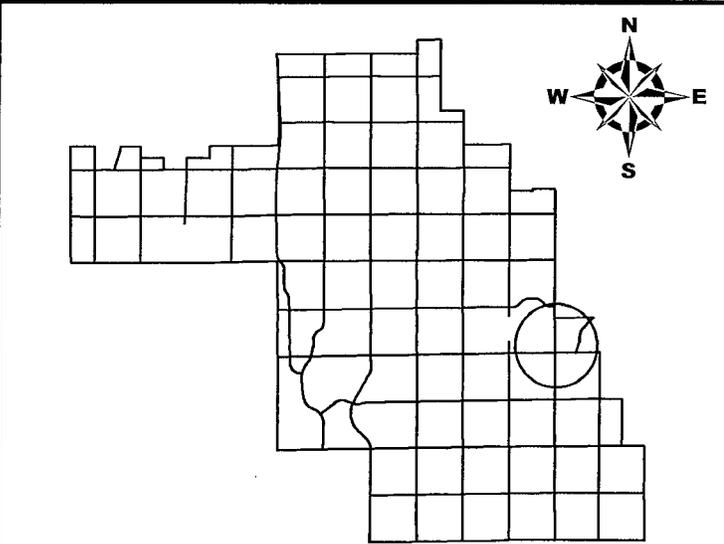
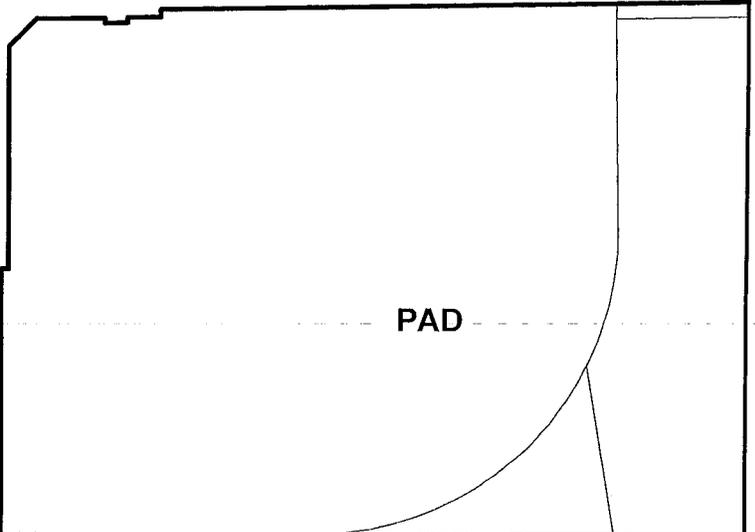
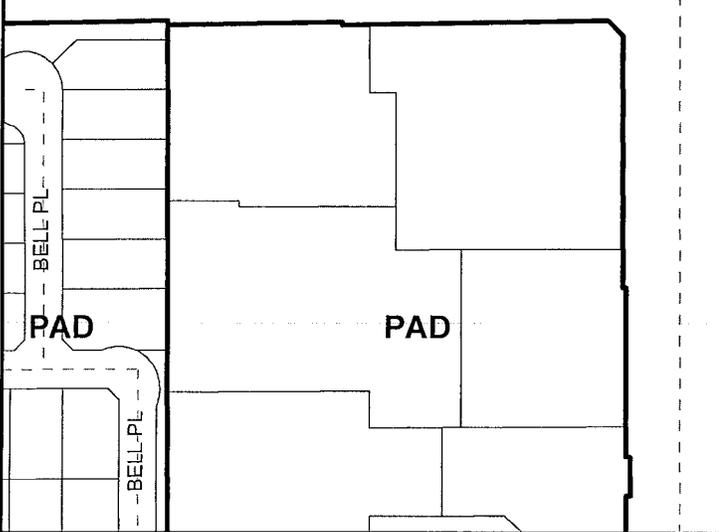
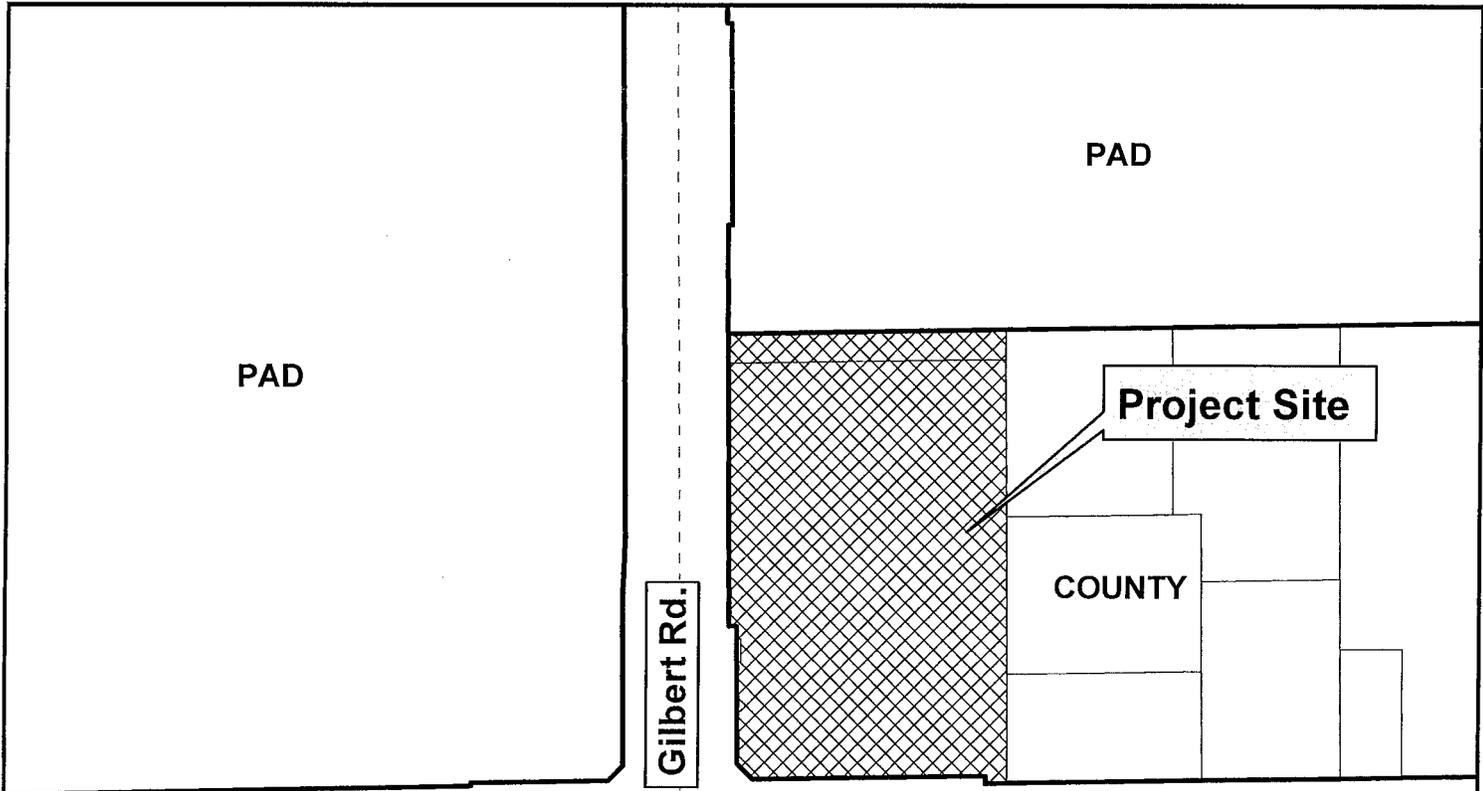
I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 4495 was duly passed and
adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the
____ day of _____, 2013, and that a quorum was present thereat.

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY *EAS*

PUBLISHED:



Vicinity Map


DVR13-0037

**Northeast Corner of Gilbert Road
and Queen Creek Road**

0 80 160 320 480 640
 Feet

Exhibit A

EXHIBIT A

Legal Description Boundary

A portion of land situated in the Southwest Quarter of Section 7, Township 2 South, Range 6 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 in Handhole at the Southwest Corner of said Section 7, from which a Found Brass Cap at the South Quarter Corner of said Section 7 bears North 89 degrees 05 minutes 35 seconds East, a distance of 2503.25 feet;

Thence North 89 degrees 05 minutes 35 seconds East, along the South line of the Southwest Quarter of said Section 7, a distance of 428.01 feet;

Thence North 00 degrees 28 minutes 57 seconds West, parallel with and 428.00 feet East of the West line of the Southwest Quarter of said Section 7, a distance of 65.00 feet, to a point on the Northerly Right-of-Way line of Queen Creek Road, said point also being the **POINT OF BEGINNING**;

Thence, along said Northerly Right-of-Way the following three courses:

South 89 degrees 05 minutes 35 seconds West, parallel with and 65.00 feet North of the South line of the Southwest Quarter of said Section 7, a distance of 28.00 feet;

Thence North 00 degrees 54 minutes 25 seconds West, a distance of 10.00 feet;

Thence South 89 degrees 05 minutes 35 seconds West, parallel with and 75.00 feet North of the South line of the Southwest Quarter of said Section 7, a distance of 304.93 feet;

Thence North 45 degrees 41 minutes 42 seconds West, a distance of 28.19 feet, to a point on the Easterly Right-of-Way line of Gilbert Road;

Thence along said Easterly Right-of-Way line the following three courses:

North 00 degrees 28 minutes 57 seconds West, parallel with and 75.00 feet East of the West line of the Southwest Quarter of said Section 7, a distance of 179.44 feet;

Thence South 89 degrees 31 minutes 01 seconds West, a distance of 10.00 feet;

Thence North 00 degrees 28 minutes 57 seconds West, parallel with and 65.00 feet East of the West line of the Southwest Quarter of said Section 7, a distance of 382.99 feet;

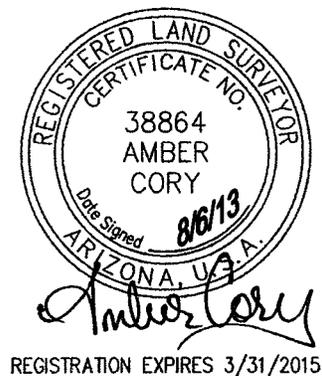
Any modification to or omission from this description completely absolves the surveyor from any liability for this description.

Thence North 89 degrees 05 minutes 32 seconds East, parallel with and 657.50 feet North of the South line of the Southwest Quarter of said Section 7, a distance of 363.01 feet;

Thence South 00 degrees 28 minutes 57 seconds East, parallel with and 428.00 feet East of the West line of the Southwest Quarter of said Section 7, a distance of 592.52 feet, to the **POINT OF BEGINNING**.

Encompassing 209,538 square feet or 4.810 acres, more or less.

See Exhibit "A" attached hereto and made a part hereof.



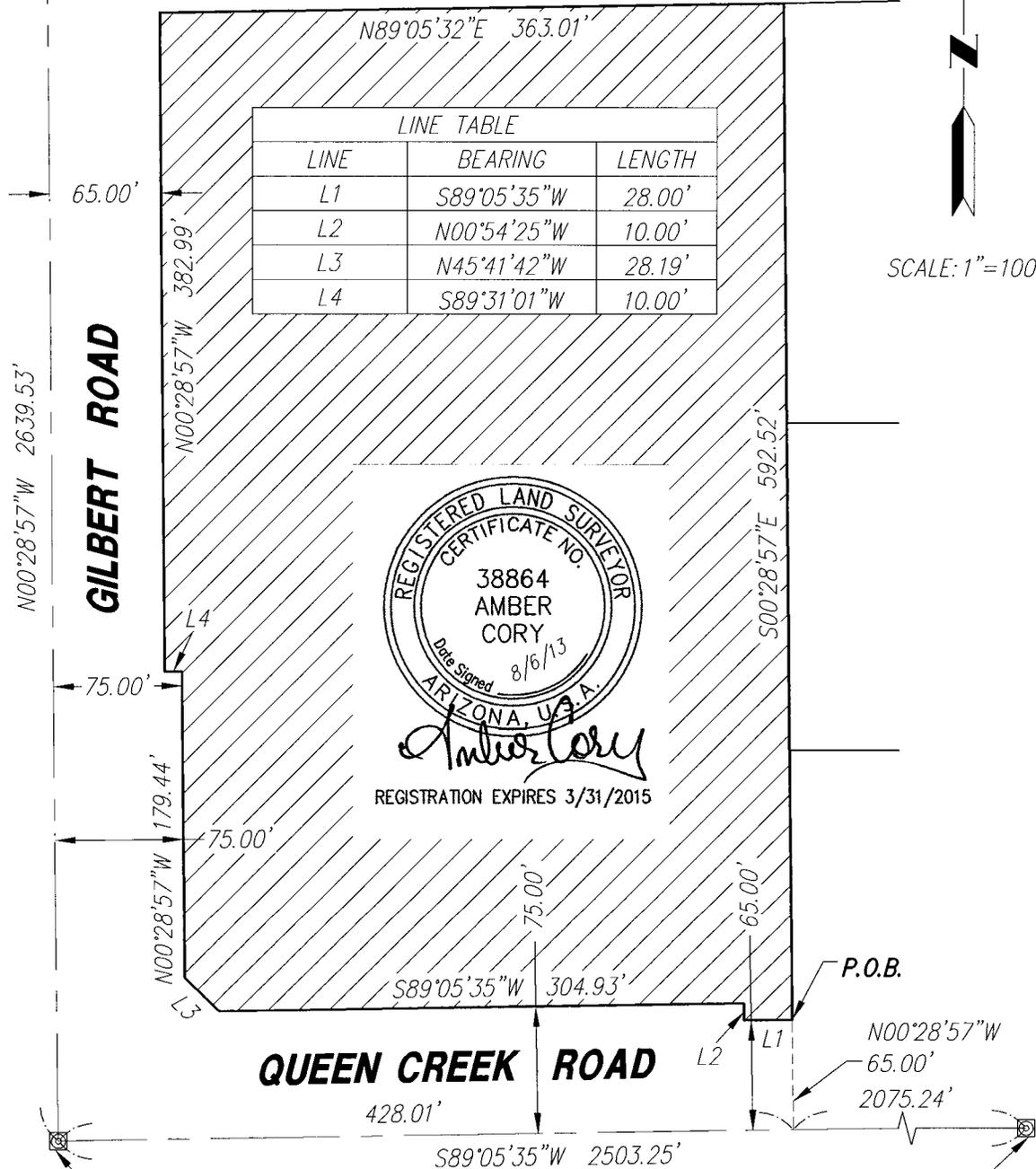
Any modification to or omission from this description completely absolves the surveyor from any liability for this description.

EXHIBIT "A" BOUNDARY

FOUND BRASS CAP
IN HANDHOLE
EAST 1/4 CORNER,
SEC. 7, T.2S., R.6E.



SCALE: 1"=100'



LINE TABLE		
LINE	BEARING	LENGTH
L1	S89°05'35"W	28.00'
L2	N00°54'25"W	10.00'
L3	N45°41'42"W	28.19'
L4	S89°31'01"W	10.00'



REGISTRATION EXPIRES 3/31/2015

