



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

# 9

SEP 26 2013

Chandler



**MEMORANDUM**

**Transportation and Development – CC Memo No. 13-109**

**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 *RJ*  
JEFF KURTZ, PLANNING ADMINISTRATOR *JK*  
KEVIN MAYO, PLANNING MANAGER *KM*

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

**SUBJECT:** DVR13-0034 NORTH OF THE NORTHWEST CORNER OF SUNRISE PLACE AND GILBERT ROAD  
Introduction and Tentative Adoption of Ordinance No. 4492

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

**Location:** North of the northwest corner of Sunrise Place and Gilbert Road

**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 subject site is a narrow 17-foot wide strip of land that is part of Belmont Estates subdivision, which received Planned Area Development (PAD) zoning and Preliminary Development Plan (PDP) approval by Council on November 5, 2012. At the time, when the property for Belmont Estates was annexed, the subject parcel was thought to have been previously annexed into the City in 2003 when the Santana Ridge Condominiums property to the north was annexed. However, after consulting with Maricopa County and thoroughly reviewing the legal description, Planning Staff found that the 2003 annexation did not include the subject site. The establishment of the initial city zoning can be considered housekeeping because it will not add to nor modify

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.

Prior to being annexed, the subject site was zoned Rural-43 in the county, which allows no more than 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**

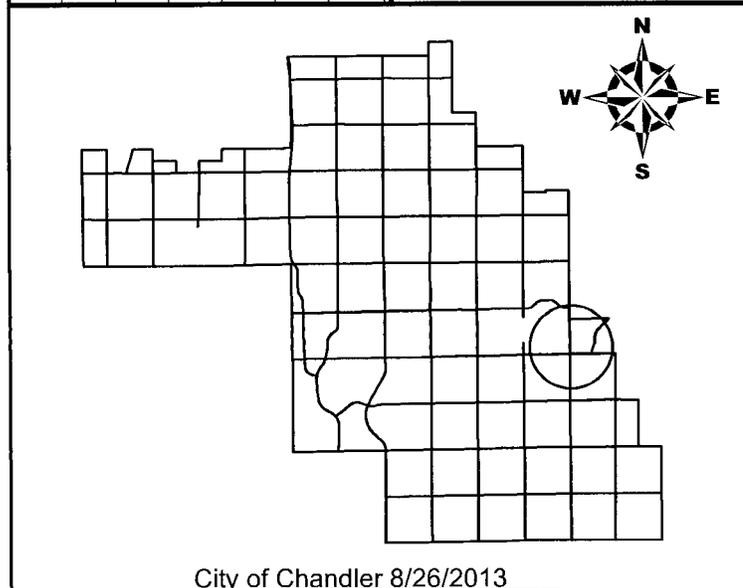
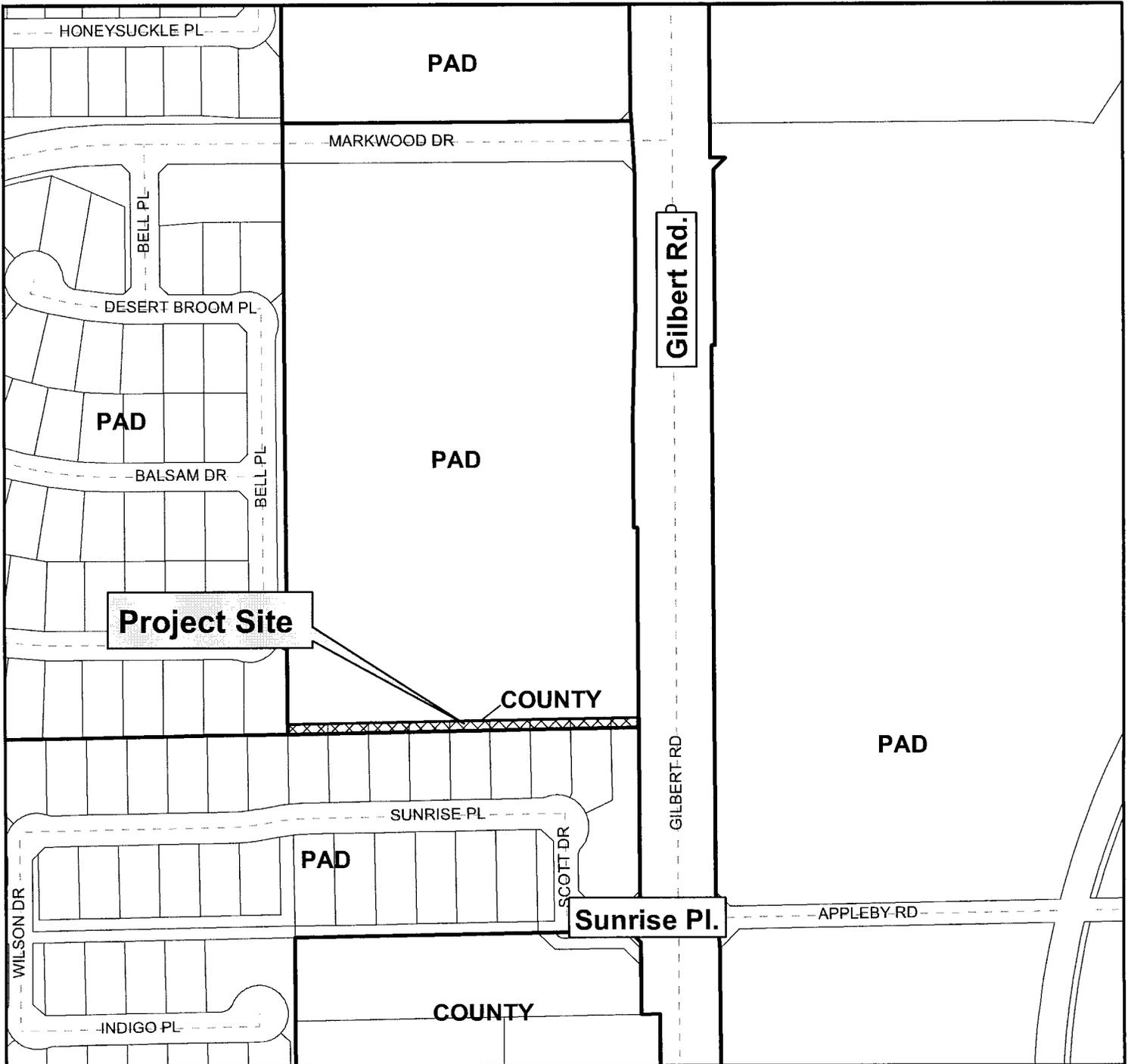
Upon finding consistency with Arizona Revised Statutes, Planning Commission and Planning Staff recommend approval of establishing the initial city zoning of AG-1 following the recent annexation of the subject site.

**PROPOSED MOTION**

Motion to introduce and tentatively adopt Ordinance No. 4492 establishing the initial city zoning of AG-1 on an approximate 0.25-acre site in case DVR13-0034 NORTH OF THE NORTHWEST CORNER OF SUNRISE PLACE AND GILBERT ROAD, as recommended by Planning Commission and Planning Staff.

**Attachments**

1. Location Maps
2. Ordinance No. 4492



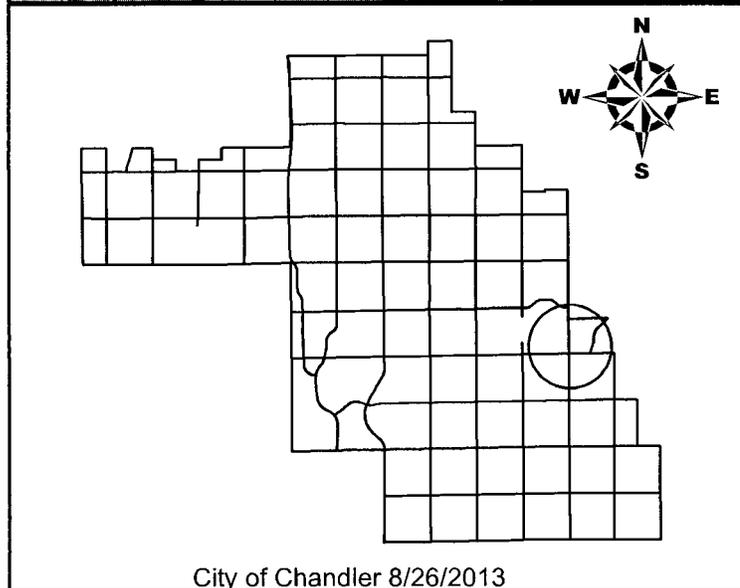
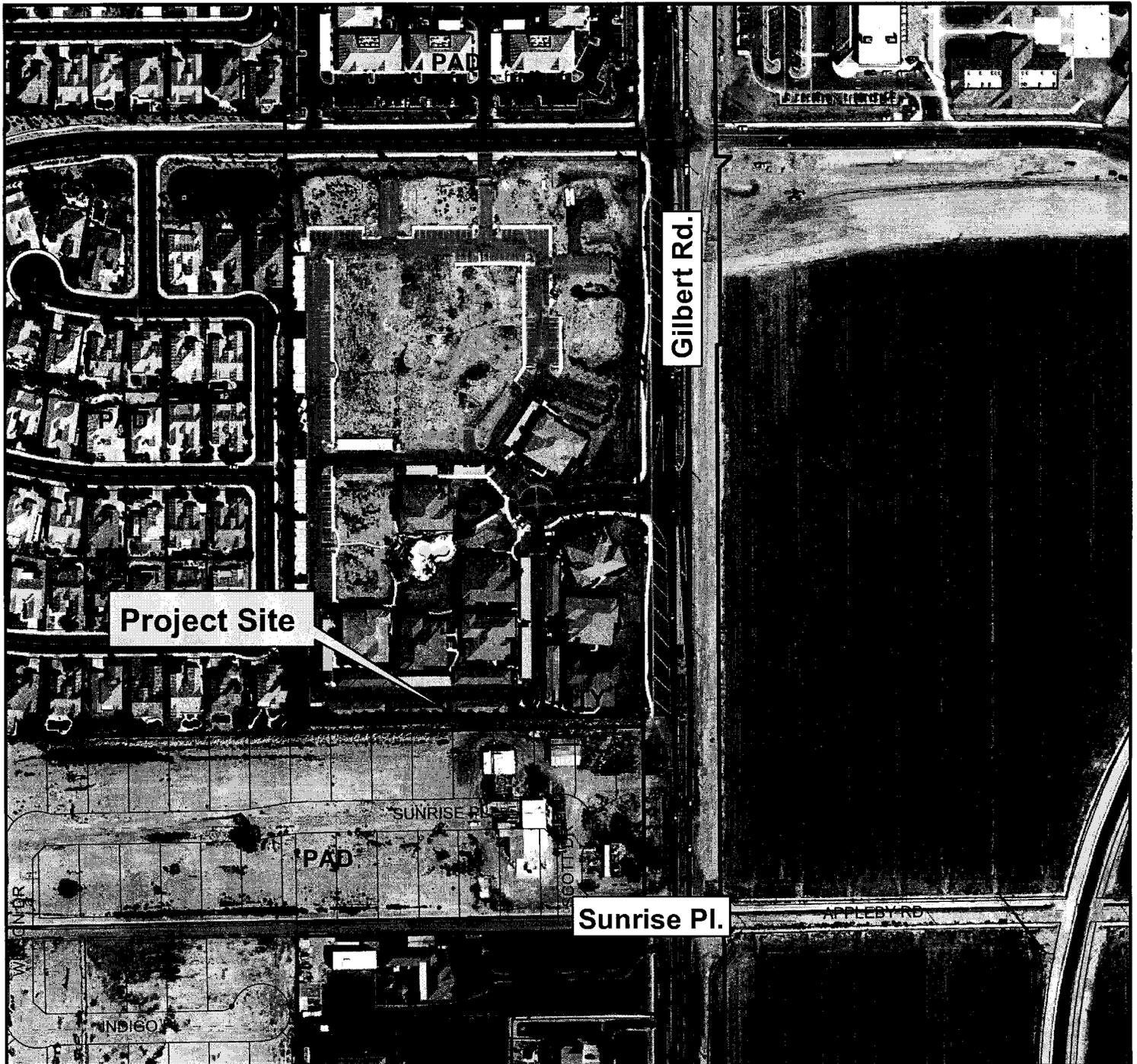
## Vicinity Map

DVR13-0034

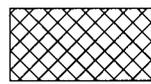
North of the Northwest Corner of  
 Sunrise Place and Gilbert Road

Feet

Exhibit A

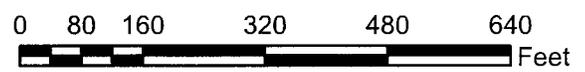


**Vicinity Map**



**DVR13-0034**

**North of the Northwest Corner of  
Sunrise Place and Gilbert Road**



**Exhibit A**

**ORDINANCE NO. 4492**

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, ESTABLISHING INITIAL CITY ZONING OF AGRICULTURAL (AG-1) (DVR13-0034 N OF THE NWC OF SUNRISE PLACE AND GILBERT ROAD) 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**

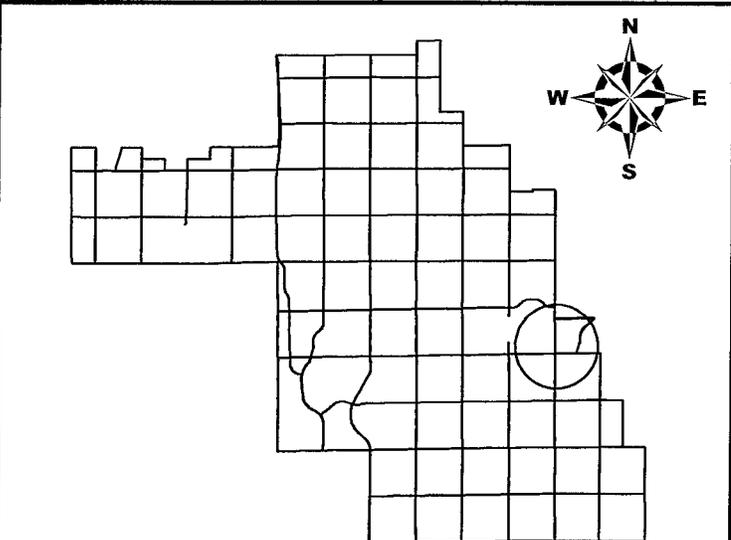
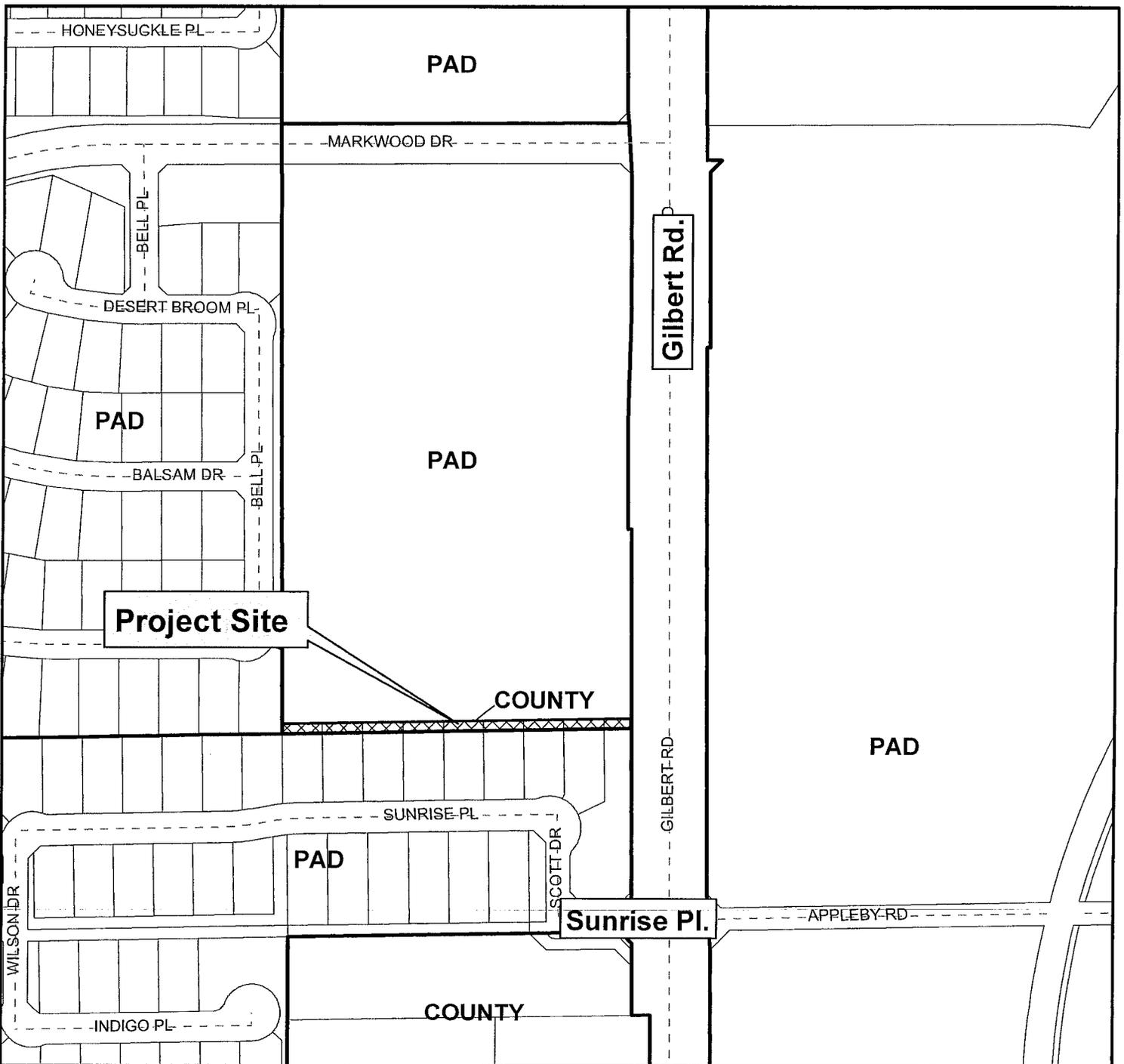
I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 4492 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the \_\_\_\_ day of \_\_\_\_\_, 2013, and that a quorum was present thereat.

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

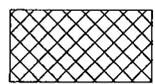
APPROVED AS TO FORM:

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

PUBLISHED:

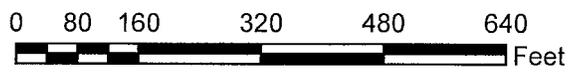


### Vicinity Map



DVR13-0034

North of the Northwest Corner of Sunrise Place and Gilbert Road



### Exhibit A

## EXHIBIT A

### LEGAL DESCRIPTION

A PARCEL OF LAND SITUATE IN THE NORTHEAST QUARTER (**NE1/4**) OF SECTION 13, TOWNSHIP 2 SOUTH, RANGE 5 EAST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE EAST QUARTER (**E1/4**) CORNER OF SAID SECTION 13, MONUMENTED WITH A FOUND BRASS CAP FLUSH, FROM WHICH THE NORTHEAST CORNER THEREOF, MONUMENTED WITH A FOUND BRASS CAP IN A HANDHOLE, BEARS NORTH 00°02'54" EAST, A DISTANCE OF 2,648.72 FEET;

**THENCE** NORTH 00°02'54" EAST, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER (**NE1/4**) OF SECTION 13, A DISTANCE OF 331.09 FEET TO THE INTERSECTION OF SAID EAST LINE AND THE NORTH LINE OF THE SOUTH HALF OF THE SOUTH HALF OF THE SOUTH HALF OF THE NORTHEAST QUARTER (**S1/2, S1/2, S1/2, NE1/4**) OF SAID SECTION 13, AS CALLED IN DOCUMENT #2004-0074557 (**R1**), MARICOPA COUNTY RECORDS (**MCR**);

**THENCE** SOUTH 89°22'22" WEST, ALONG SAID NORTH LINE, A DISTANCE OF 33.00 FEET TO THE INTERSECTION OF SAID NORTH LINE WITH THE WESTERLY RIGHT-OF-WAY OF GILBERT ROAD AS DEDICATED IN DOCUMENT #2011-0941687 (**R2**), MCR AND **THE POINT OF BEGINNING**;

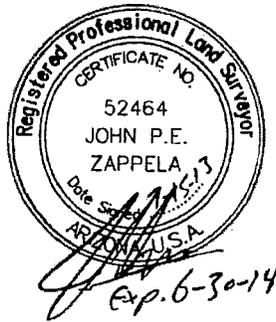
**THENCE** CONTINUING, SOUTH 89°22'22" WEST, ALONG SAID NORTH LINE AND DEPARTING SAID RIGHT-OF-WAY, A DISTANCE OF 640.77 FEET TO A POINT ON A LINE DESCRIBED IN (**R1**) AND A POINT ON THE EAST LINE OF "ABRALEE MEADOW" RECORDED IN BOOK 652 OF MAPS, PAGE 23 (**R3**), MCR;

**THENCE**, DEPARTING SAID NORTH LINE, NORTH 00°03'48" EAST, ALONG SAID DESCRIBED (**R1**) AND EAST LINE (**R3**), A DISTANCE OF 16.93 FEET TO A POINT ON A LINE DESCRIBED IN (**R1**) AND THE INTERSECTION OF SAID EAST LINE (**R3**) AND THE SOUTH LINE OF "SANTANA RIDGE CONDOMINIUM" RECORDED IN BOOK 809 OF MAPS, PAGE 14 (**R4**), MCR;

**THENCE** NORTH 89°22'01" EAST, ALONG SAID DESCRIBED (**R1**) AND SOUTH LINE (**R4**), A DISTANCE OF 640.77 FEET TO A POINT ON SAID 33 FOOT WESTERLY RIGHT-OF-WAY OF GILBERT ROAD (**R2**);

THENCE SOUTH 00°02'54" WEST, ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 17.00 FEET TO THE POINT OF BEGINNING.

SAID PARCELS CONTAIN 10,869 SQUARE FEET OR 0.2495 ACRES, MORE OR LESS





EXPIRES 6/30/2014

QUEEN CREEK ROAD

GILBERT ROAD

E1/4 SEC 13  
FOUND BRASS CAP FLUSH  
POINT OF COMMENCEMENT

NE 1/4 COR SEC 13  
FOUND BRASS CAP  
IN HANDHOLE

N1/4 COR SEC 13  
FOUND BRASS CAP  
IN HANDHOLE

C1/4 SEC 13  
FOUND REBAR W/CAP  
LS27742

NORTH LINE OF THE SOUTH HALF OF THE SOUTH  
HALF OF THE SOUTH HALF OF THE NORTHEAST  
QUARTER OF SECTION 13  
(S1/2, S1/2, S1/2, NE1/4)

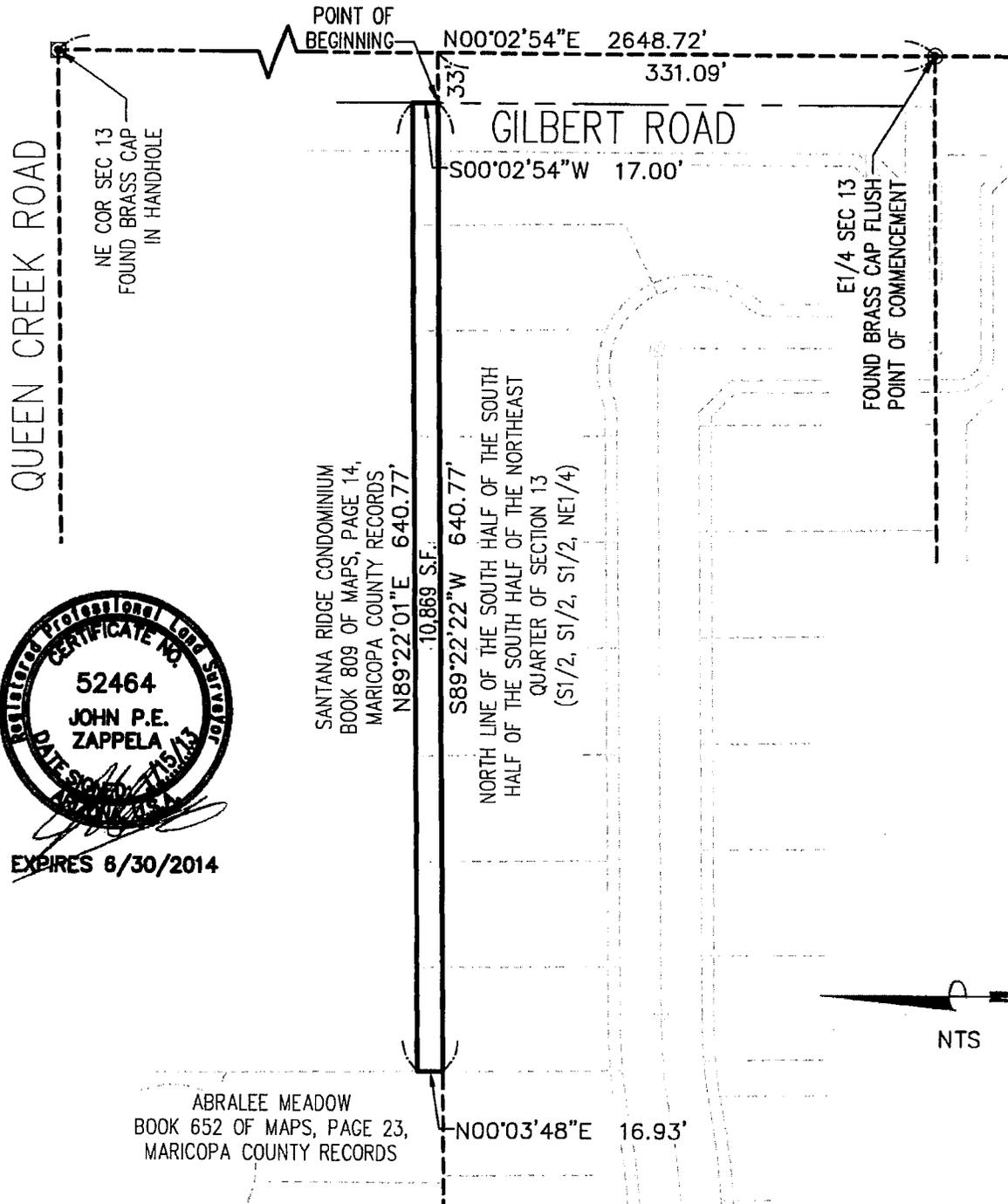


LOCATED IN THE SOUTHEAST QUARTER (SE1/4) OF SECTION 13,  
TOWNSHIP 02 SOUTH, RANGE 05 EAST, G&SRM  
MARICOPA COUNTY, PHOENIX, ARIZONA

SHEET 1 OF 2	DATE:	ANNEXATION		
	05/07/13	EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION		
		BY: JZ	CHK: JD	QC: JZ
	BCG PROJECT NO: 9601		TASK: 007	
	CLIENT REF NO:			

**Bowman**  
CONSULTING

3010 S Priest Dr, #103  
Tempe, Az 85282  
Phone: (480) 629-8830  
Fax: (480) 629-8841  
www.bowmanconsulting.com



EXPIRES 8/30/2014



LOCATED IN THE SOUTHEAST (SE1/4) OF SECTION 13,  
TOWNSHIP 02 SOUTH, RANGE 05 EAST, G&SRM  
MARICOPA COUNTY, PHOENIX, ARIZONA

SHEET 2 OF 2  
DATE: 05/07/13

ANNEXATION  
EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION

BY: JZ	CHK: JD	QC: JZ	
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