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DEC 11 2014



MEMORANDUM **Planning Division - CC Memo No. 14-141**

DATE: DECEMBER 11, 2014

TO: MAYOR AND COUNCIL

THRU: RICH DLUGAS, CITY MANAGER RD
MARSHA REED, ASSISTANT CITY MANAGER ^{MR}
JEFF KURTZ, PLANNING ADMINISTRATOR ^{JK}
KEVIN MAYO, PLANNING MANAGER ^{KM}

FROM: DAVID DE LA TORRE, AICP, PRINCIPAL PLANNER ^{DDT}

SUBJECT: DVR14-0037 SOUTHWEST CORNER OF OCOTILLO ROAD AND THE UNION PACIFIC RAILROAD
Introduction and Tentative Adoption of Ordinance No. 4591

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

Location: Southwest corner of Ocotillo Road and the Union Pacific Railroad

Applicant: City Initiative

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 property is approximately 4,000 square feet in size, is owned by the City and is planned to be used as a City well site. The annexation of the subject parcel was recently processed together with a larger area including the intersection of Ocotillo Road and the Union Pacific Railroad. Abutting the parcel to the south is a 2,500-square foot City-owned parcel, previously annexed, that will be part of the well site. Wrapping around the well site to the south and west, is a property that recently received preliminary development plan approval for the development of Dominion Chandler Self Storage (PDP14-0001).

In accordance with the following statute, Planning Staff is proposing an initial City zoning of AG-1, which is consistent with the previous RU-43 zoning in the county. 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.”

Council held a public hearing to annex the subject property on August 14, 2014, and subsequently adopted Ordinance No. 4559, annexing the subject parcel on November 17, 2014.

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 Conflict: 0 Absent: 1 (Foley)

RECOMMENDED ACTION

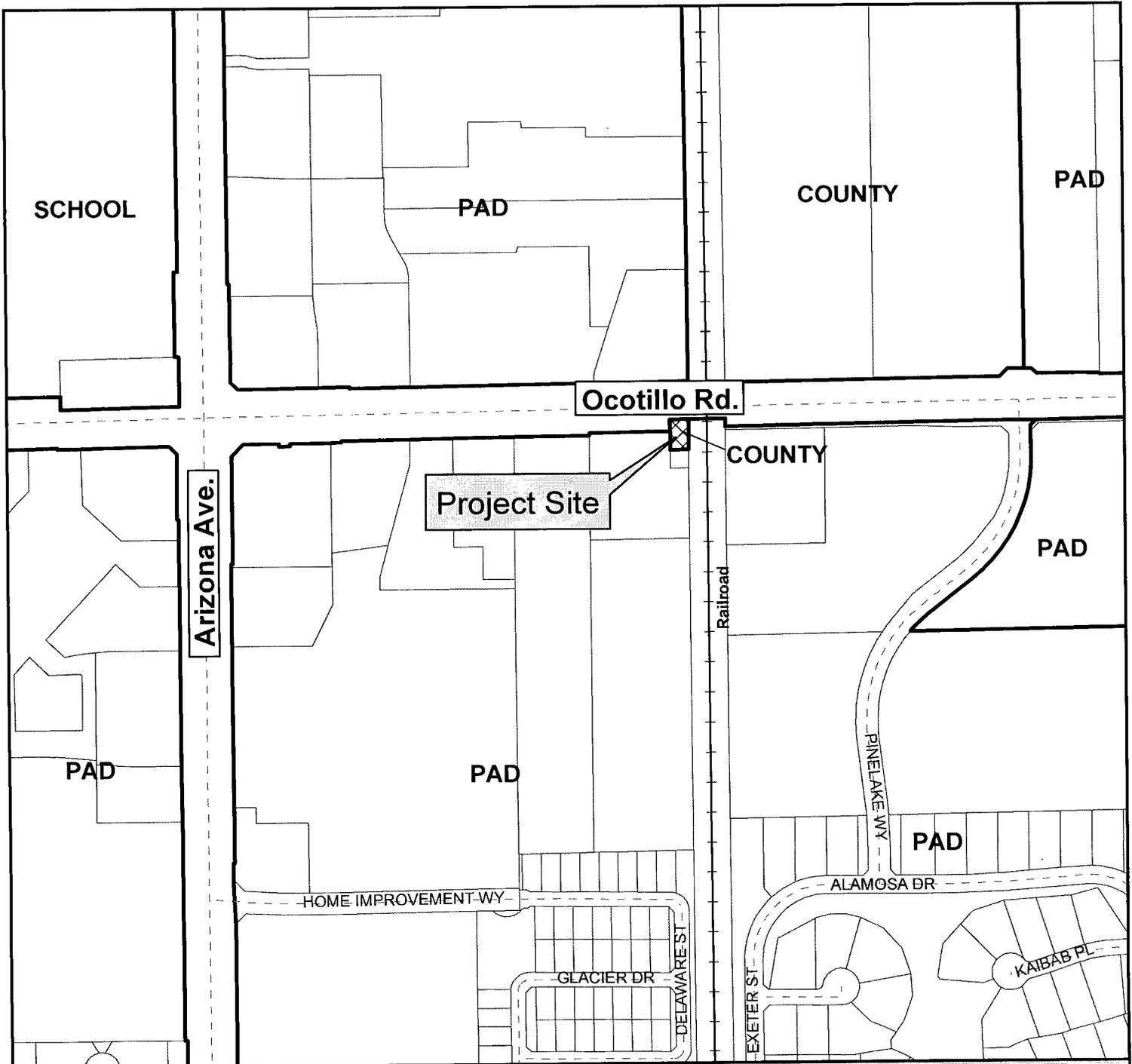
Upon finding consistency with Arizona Revised Statutes, Planning Commission and Planning Staff recommend approval of establishing the initial City zoning of AG-1 following the recent annexation of the subject site.

PROPOSED MOTION

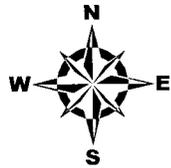
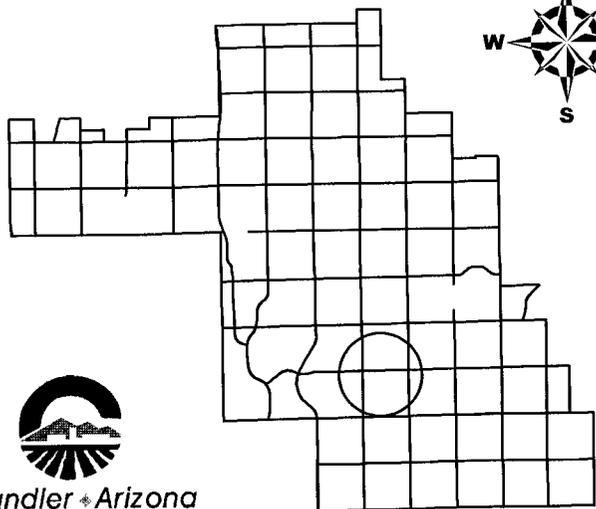
Motion to introduce and tentatively adopt Ordinance No. 4591 establishing the initial City zoning of AG-1 on a 4,000 square foot parcel as represented in case DVR14-0037 SOUTHWEST CORNER OF OCOTILLO ROAD AND THE UNION PACIFIC RAILROAD, and as recommended by Planning Commission and Planning Staff.

Attachments

1. Location Maps
2. Ordinance No. 4591

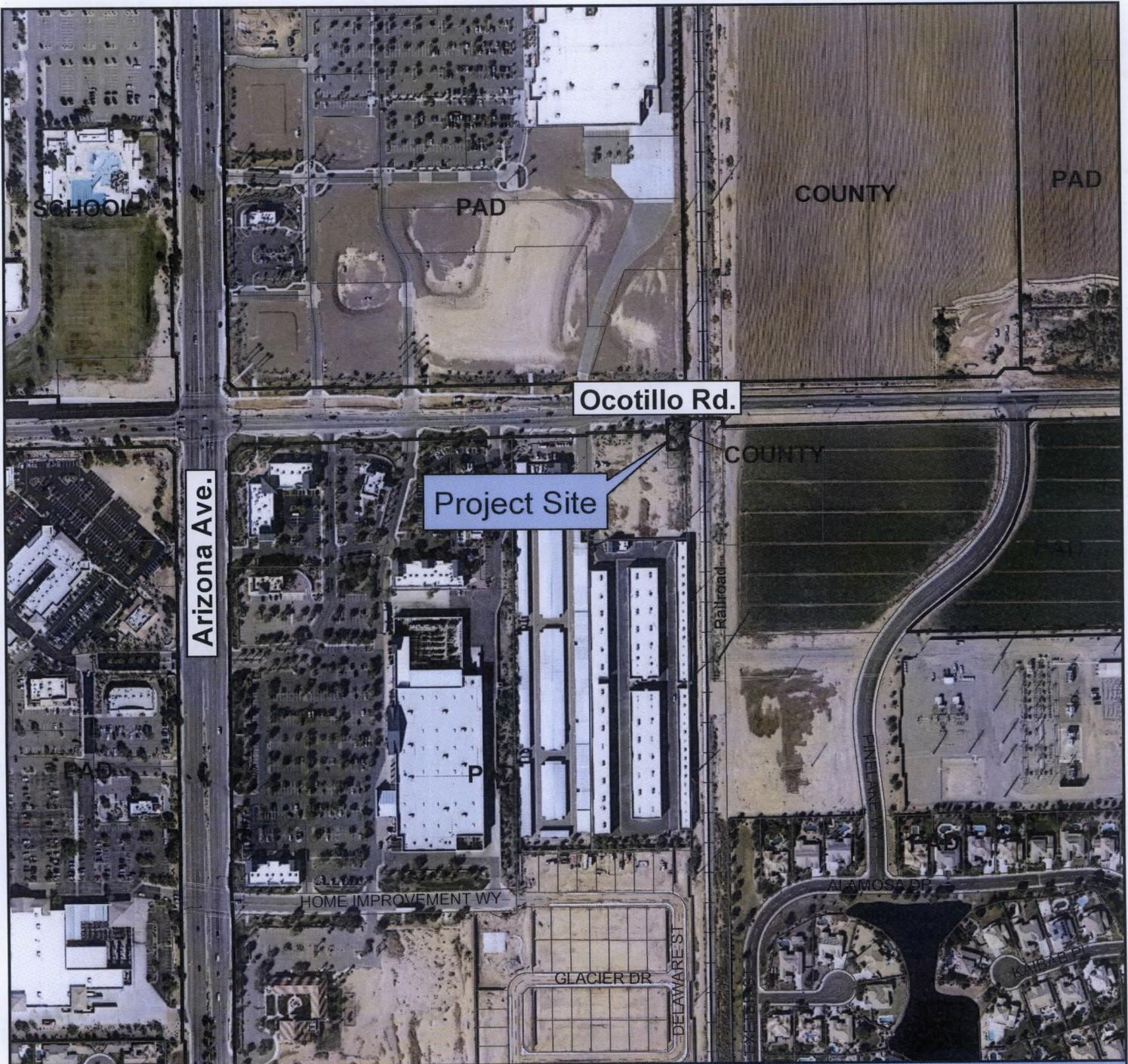


Vicinity Map

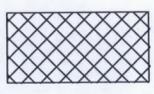
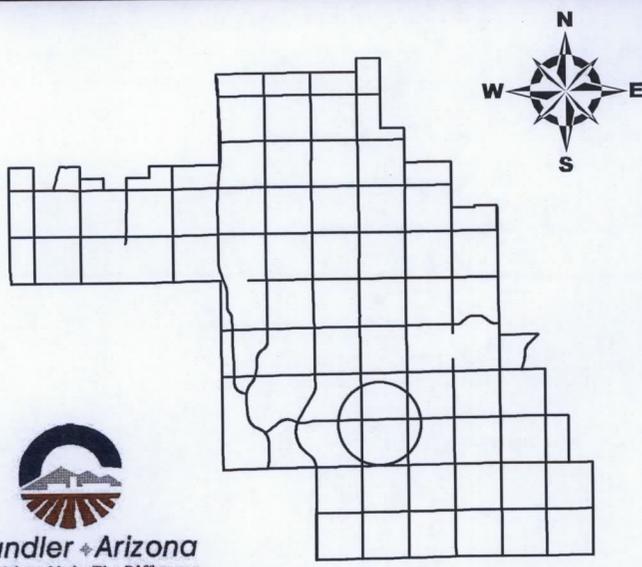


DVR14-0037

**SWC of Ocotillo Road and the
Union Pacific Railroad**



Vicinity Map



DVR14-0037

**SWC of Ocotillo Road and the
Union Pacific Railroad**



ORDINANCE NO. 4591

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, ESTABLISHING INITIAL CITY ZONING OF AGRICULTURAL (AG-1) (DVR14-0037 SOUTHWEST CORNER OF OCOTILLO ROAD AND THE UNION PACIFIC RAILROAD) 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 _____, 2014.

ATTEST:

CITY CLERK

MAYOR

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona this _____ day of _____, 2015.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

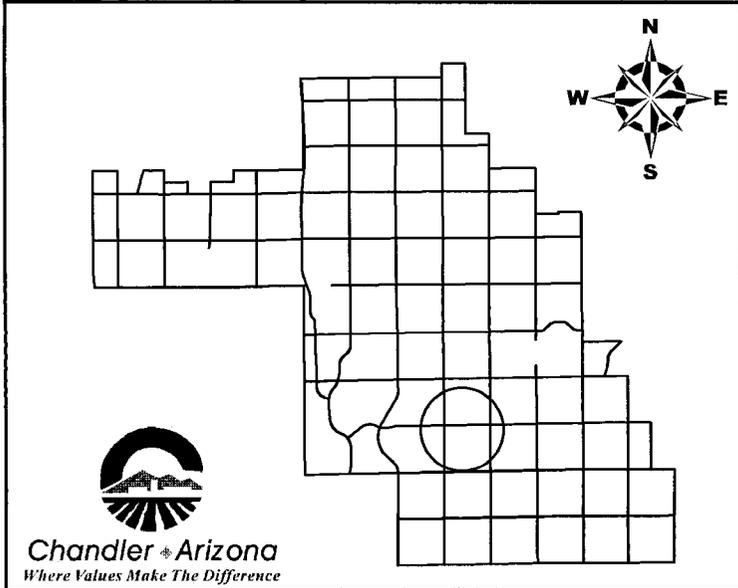
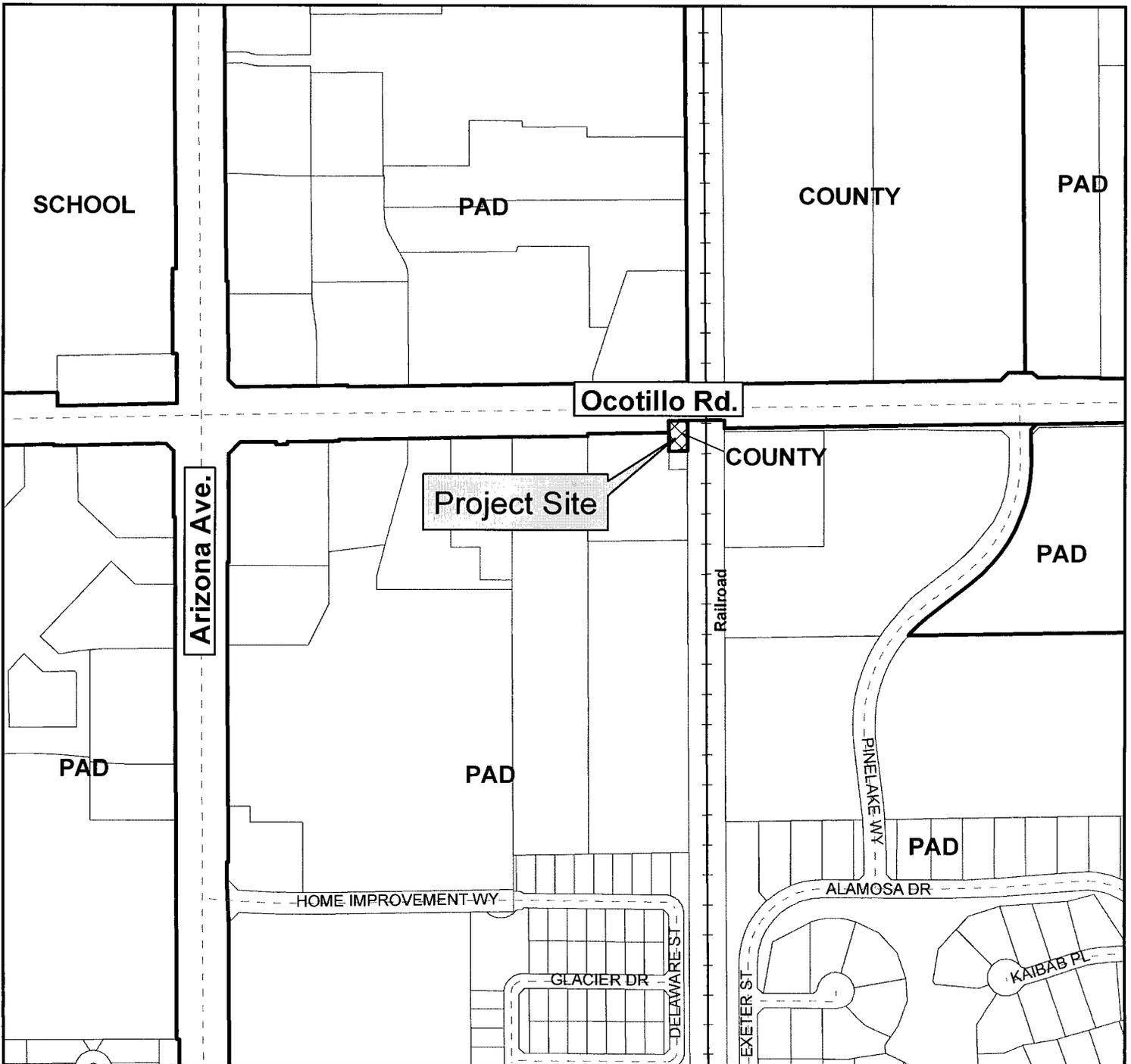
I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 4591 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the _____ day of _____, 2015, and that a quorum was present thereat.

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY *fon*

PUBLISHED:



Vicinity Map

ORDINANCE NO. 4591 EXHIBIT A

 DVR14-0037

**SWC of Ocotillo Road and the
Union Pacific Railroad**

ORDINANCE NO. 4591

EXHIBIT A

LEGAL DESCRIPTION

That portion of a parcel of land, as created in Document No. 2012-0894073, described in the Records of Maricopa County, Arizona located in the Northwest quarter of Section 22, Township 2 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

Beginning at a point on the North line of Section 22, Township 2 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, from which the Northwest corner of said Section 22 bears South 89 degrees 22 minutes 31 seconds West, a distance of 1267.40 feet;

Thence North 89 degrees 22 minutes 31 seconds East a distance of 50.00 feet to the right-of-way line of the Southern Pacific Railroad;

Thence South 00 degrees 01 minutes 10 seconds West along said right-of-way line a distance of 115.00 feet;

Thence South 89 degrees 22 minutes 31 seconds West a distance of 50.00 feet;

Thence North 00 degrees 01 minutes 10 seconds East a distance of 115.00 feet to the Point of Beginning.

Containing an area of 5,830.99 square feet or 0.13 acres more or less.