



**MEMORANDUM**                      **Planning Division – CC Memo No. 15-046**

**DATE:**            MARCH 26, 2015

**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:**            LAUREN SCHUMANN, CITY PLANNER *LS*

**SUBJECT:**        DVR15-0005 SOUTH OF THE SOUTHWEST CORNER OF MCQUEEN AND OCOTILLO ROADS  
Introduction and Tentative Adoption of Ordinance No. 4619

- Request:            The establishment of initial City zoning of Agricultural (AG-1) on an 4.18-acre parcel
- Location:           South of the southwest corner of McQueen and Ocotillo roads
- 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 annexation of the subject site.

**BACKGROUND**

The undeveloped subject parcel is bordered by County land zoned Rural-43 (RU-43) to the west and north. McQueen Road is located to the east, and the subdivision Estates at McQueen is located to the south.

The City Council tentatively adopted an ordinance to annex the subject parcel on February 12, 2015, and adopted the second reading of the ordinance on February 26, 2015. Planning Staff has not received any comments from residents or other members of the public regarding the annexation, nor the establishment of initial City zoning.

A rezoning and preliminary development plan application has been submitted for the development of a church on the subject site. The Chandler Land Use Element of the General Plan designates the site as Residential and the Southeast Chandler Area Plan designates a more specific land use category of Rural/Agrarian character.

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.”

Planning Staff supports the land use that is requested with the pending development applications, the annexation, and establishment of initial City zoning of the subject property to allow the pending applications to be reviewed by the Planning Commission and City Council.

#### **PUBLIC / NEIGHBORHOOD NOTIFICATION**

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.

#### **PLANNING COMMISSION VOTE REPORT**

Motion to Approve:

In Favor: 6    Opposed: 0    Abstain: 1 (Ryan)

#### **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 annexation of the subject site.

#### **PROPOSED MOTION**

Move to introduce and tentatively adopt Ordinance No. 4619 establishing the initial City zoning of AG-1 on the 4.18-acre parcel as requested in case DVR15-0005 SOUTH OF THE SOUTHWEST CORNER OF MCQUEEN AND OCOTILLO ROADS, and as recommended by Planning Commission and Planning Staff.

#### **Attachments**

1. Vicinity Maps
2. Ordinance No. 4619

**ORDINANCE NO. 4619**

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, ESTABLISHING INITIAL CITY ZONING OF AGRICULTURAL (AG-1) (DVR15-0005 SOUTH OF THE SOUTHWEST CORNER 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 \_\_\_\_\_, 2015.

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**

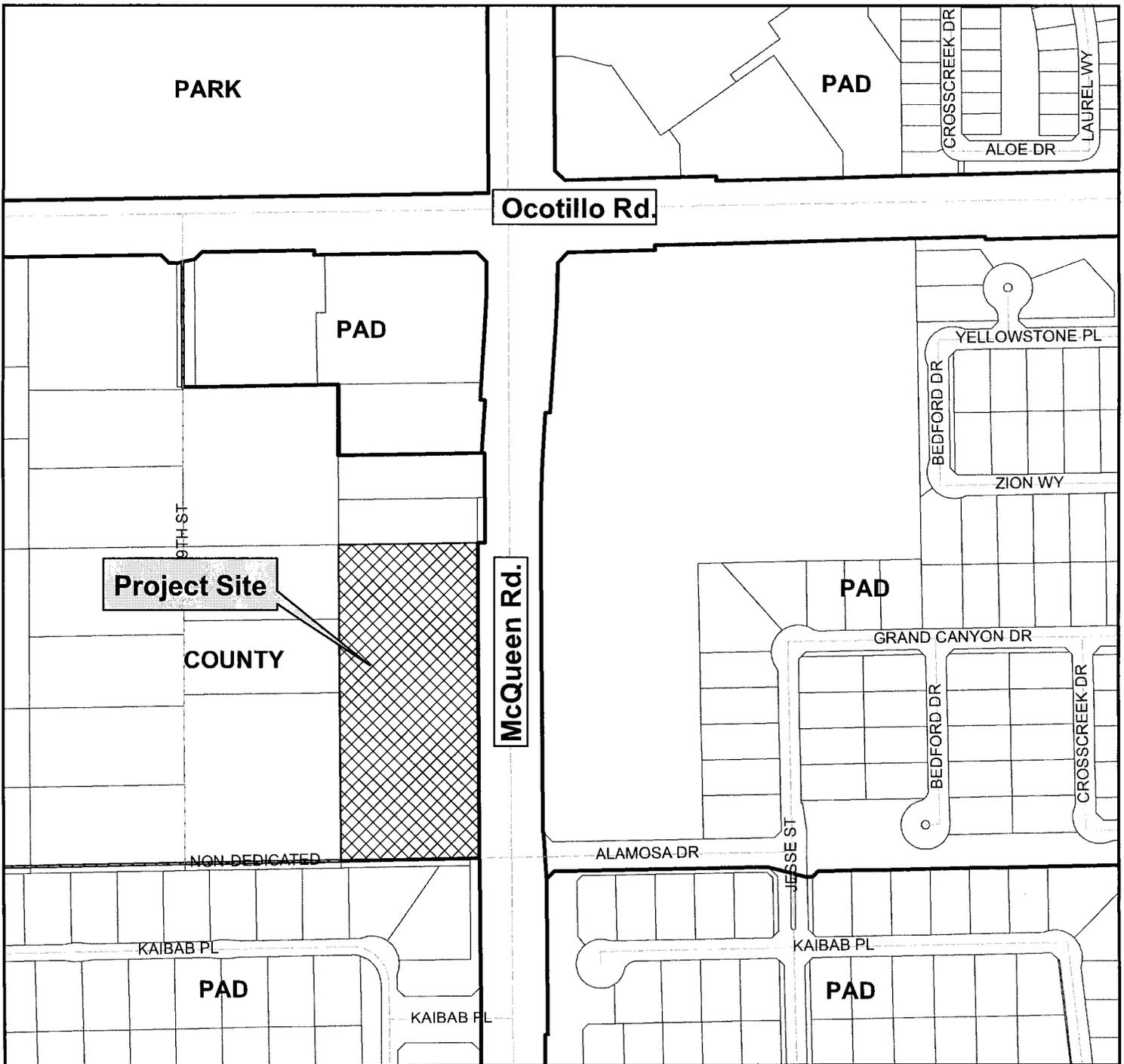
I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 4619 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the \_\_\_\_ day of \_\_\_\_\_, 2015, and that a quorum was present thereat.

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

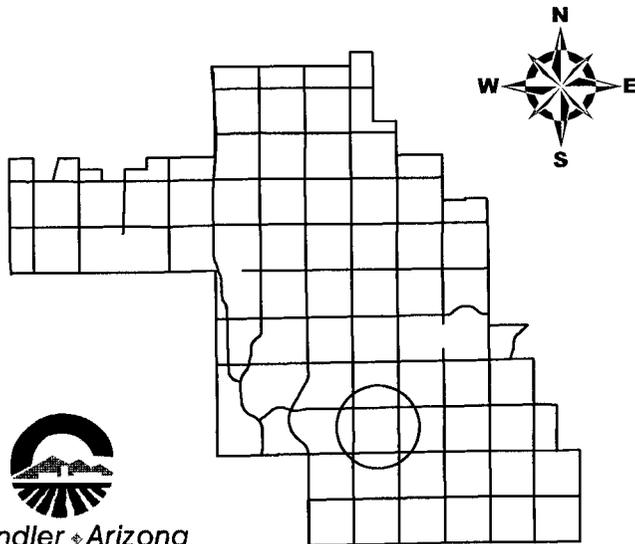
APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY *Kson*

PUBLISHED:



## Vicinity Map

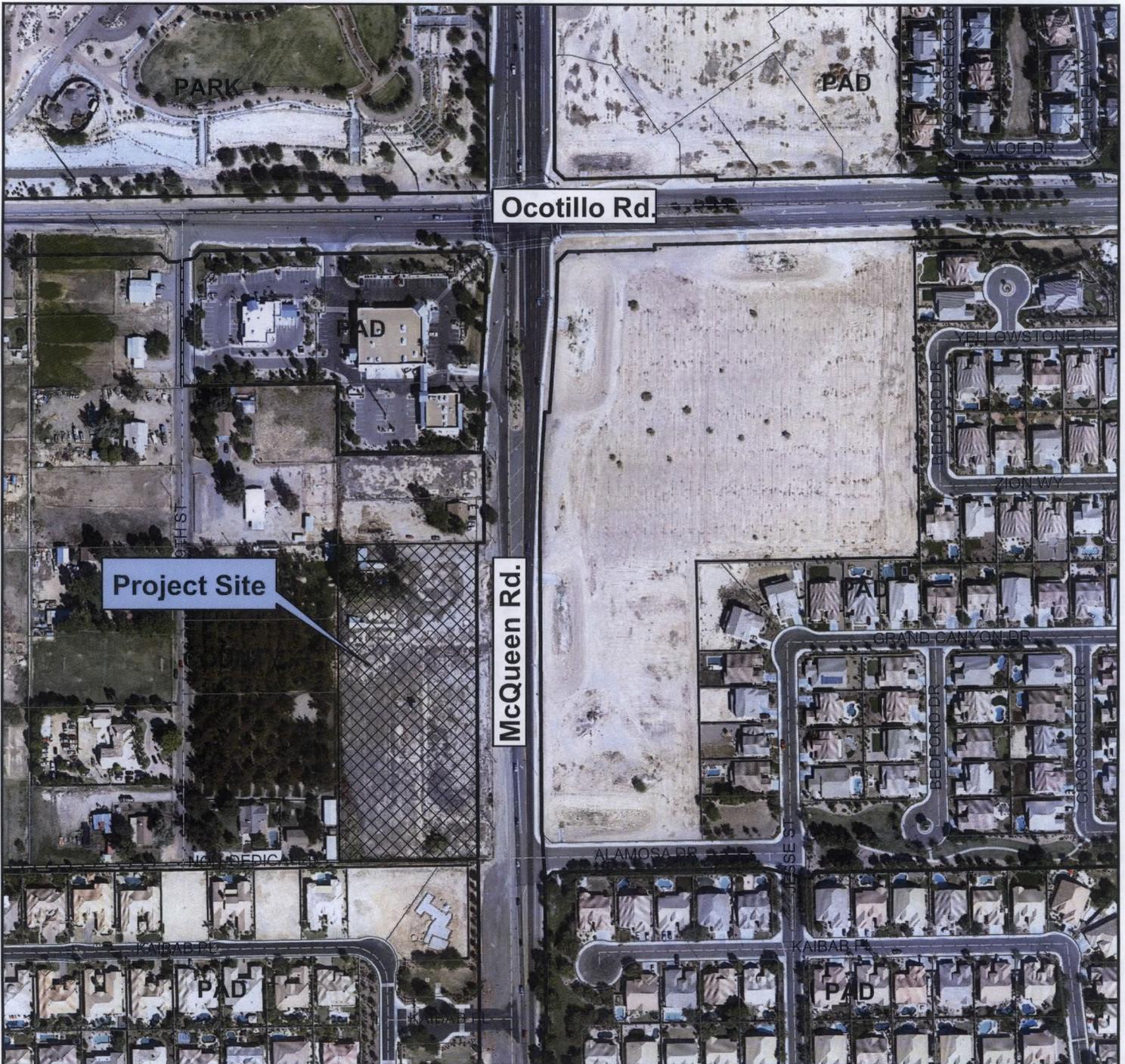


DVR15-0005

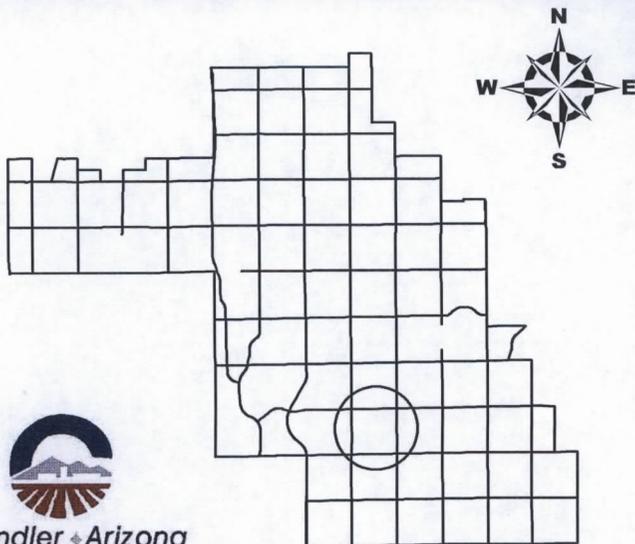
South of the Southwest Corner  
of McQueen and Ocotillo Roads



Chandler ♦ Arizona  
Where Values Make The Difference



## Vicinity Map



DVR15-0005

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

Annexation Letter  
Exhibit "A"



2725 S. Alma School Rd., Chandler, AZ 85286  
www.fbcaz.com timk@fbcaz.com (602) 750-3166

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APN 303-54-671 Legal Description:

The West 314.70 feet of the East 347.70 feet of the Northeast 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; EXCEPT the North 678.69 feet thereof; Also excepting therefrom any portion deeded to the City of Chandler as described in General.

Warranty Deed recorded September 22, 2011 in Document No. 2011-0786823, records of Maricopa County, Arizona.