

APR 16 2015

ORDINANCE NO. 4614

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, ESTABLISHING INITIAL CITY ZONING OF AGRICULTURAL (AG-1) (DVR15-0009 NORTH OF THE NORTHWEST CORNER OF MCQUEEN ROAD AND HUNT HIGHWAY) 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:

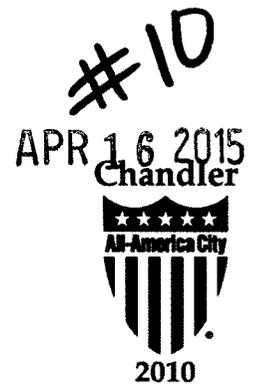
SECTION I. Legal Description of Property:

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.



MEMORANDUM **Planning Division – CC Memo No. 15-038**

DATE: APRIL 16, 2015

TO: MAYOR AND COUNCIL

THRU: RICH DLUGAS, CITY MANAGER *RD*
MARSHA REED, ASSISTANT CITY MANAGER *MR*
JEFF KURTZ, PLANNING ADMINISTRATOR
KEVIN MAYO, PLANNING MANAGER *KM*

FROM: LAUREN SCHUMANN, CITY PLANNER *LS*

SUBJECT: DVR15-0009 NORTH OF THE NORTHWEST CORNER OF MCQUEEN ROAD AND HUNT HIGHWAY
Introduction and Tentative Adoption of Ordinance No. 4614

Request: The establishment of initial City zoning of Agricultural (AG-1) on a 10-acre parcel

Location: North of the northwest corner of McQueen Road and Hunt Highway

Applicant: City of Chandler

RECOMMENDATION

Upon finding the request to be consistent with the Arizona Revised Statutes, Planning Commission and Planning Staff recommend approval of establishing the initial City zoning of Agricultural (AG-1) following the annexation of the subject site.

BACKGROUND

The subject 10-acre site has one single-family home and a couple of non-residential structures. The parcel abuts the south end of Fieldstone Estates subdivision on the west side of McQueen Road. South of the subject parcel is an unincorporated rural residential area consisting of twenty homes located on lots that range in size from approximately 1 – 2.5 acres.

The Chandler Land Use Element of the General Plan designates the site as residential and refers to the Southeast Chandler Area Plan (SECAP) for more specific land uses. The SECAP designates the subject site as Traditional Suburban Character. A rezoning and preliminary

development plan application has been submitted for the subject parcel to construct a low density residential subdivision, which will be forthcoming.

The City Council tentatively adopted an ordinance to annex the subject parcel on March 12, 2015, adopting the second reading of the ordinance on March 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. However, a homeowner from a county property to the south has concerns about the forthcoming project. The developer has been in contact with the resident to resolve any concerns.

In accordance with the following statute, Planning Staff is proposing an initial City zoning of AG-1, which is consistent with the previous Rural-43 (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 Commission and Planning Staff support 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: 5 Opposed: 0 Absent: 2 (Baron, Wastchak)

RECOMMENDED ACTIONS

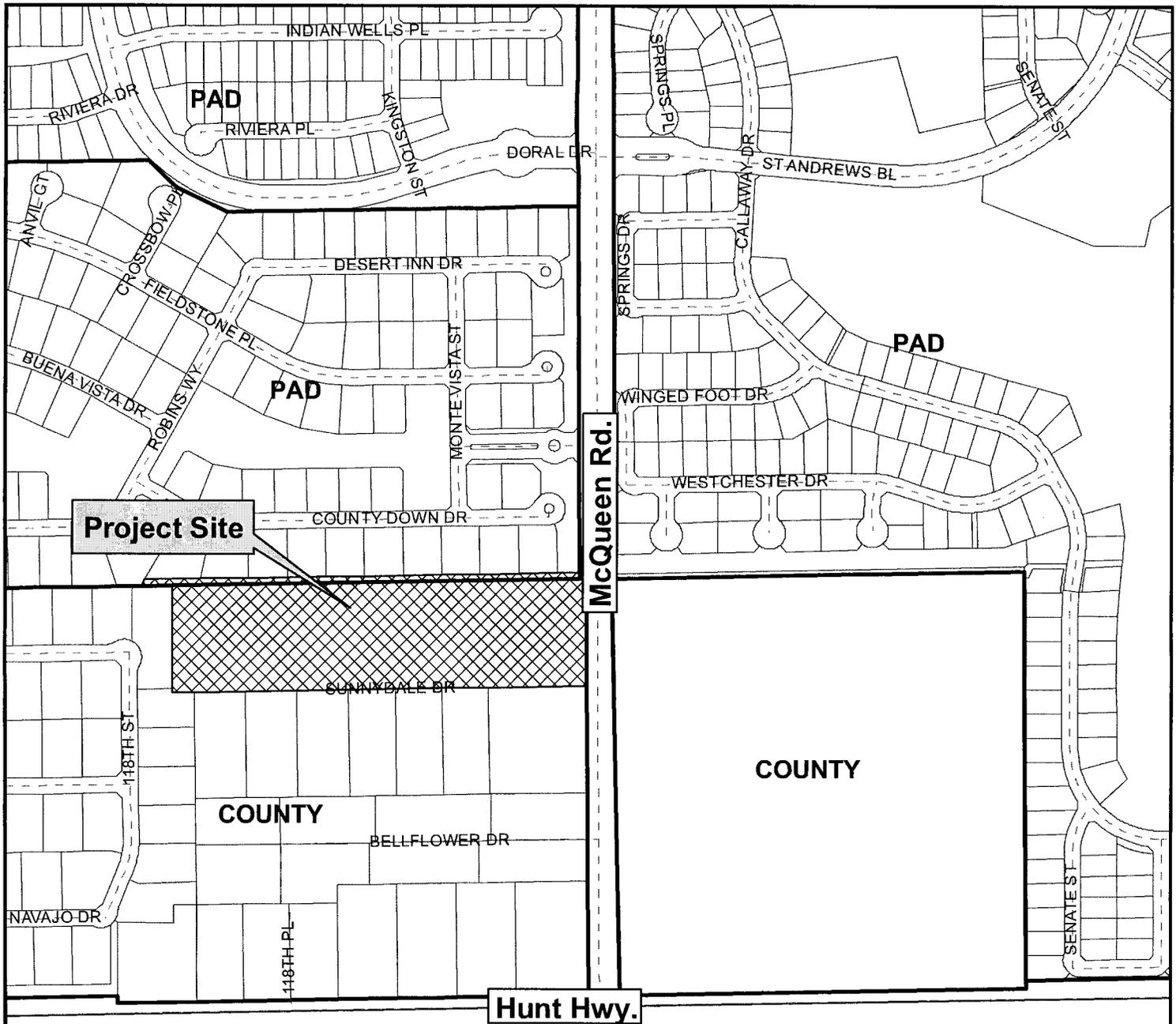
Planning Commission and Planning Staff, upon finding consistency with Arizona Revised Statutes, recommend approval of establishing the initial City Zoning of AG-1 following the annexation of the subject site.

PROPOSED MOTION

Move to introduce and tentatively adopt Ordinance No. 4614 approving the initial City zoning of AG-1 on a 10-acre parcel as requested in case DVR15-0009 NORTH OF THE NORTHWEST CORNER OF MCQUEEN ROAD AND HUNT HIGHWAY, and as recommended by Planning Commission and Planning Staff.

Attachments

1. Vicinity Maps
2. Ordinance No. 4614



Vicinity Map



DVR15-0009

North of the Northwest Corner of
McQueen Road and Hunt Highway



Chandler Arizona
Where Values Make The Difference



Vicinity Map



DVR15-0009

**N/O the Northwest Corner of
McQueen Road and Hunt Highway**



Chandler Arizona
Where Values Make The Difference

ORDINANCE NO. 4614

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, ESTABLISHING INITIAL CITY ZONING OF AGRICULTURAL (AG-1) (DVR15-0009 NORTH OF THE NORTHWEST CORNER OF CHANDLER HEIGHTS AND COOPER 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. 4614 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 *jon*

PUBLISHED:

July 30, 2014

PROJECT # 050001-01-001

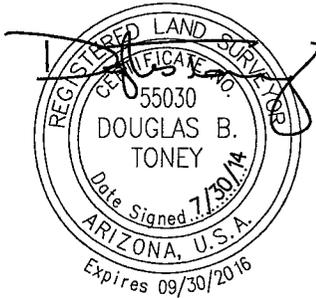


Exhibit A'
LEGAL DESCRIPTION

MISSION ESTATES – ANNEXATION PARCEL

THE NORTH HALF OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 2 SOUTH, RANGE 5 EAST, OF THE GILA SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 34, BEING A MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION BRASS CAP IN HAND HOLE, FROM WHICH THE EAST QUARTER CORNER OF SAID SECTION 34, BEING A CITY OF CHANDLER BRASS CAP IN HAND HOLE, BEARS NORTH 00°45'14" EAST, A DISTANCE OF 2643.86 FEET;

THENCE NORTH 00°45'14" EAST, ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 34, A DISTANCE OF 991.45 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH HALF OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 34, SAID POINT BEING THE **POINT OF BEGINNING**;

THENCE NORTH 89°54'42" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 1323.81 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 34;

THENCE NORTH 00°45'15" EAST, ALONG SAID WEST LINE, A DISTANCE OF 330.48 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 34, SAID NORTH LINE ALSO BEING THE SOUTH LINE OF TRACT L, FIELDSTONE ESTATES, ACCORDING TO BOOK 583 OF MAPS, PAGE 8, MARICOPA COUNTY RECORDS;

THENCE SOUTH 89°54'23" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 1323.81 FEET TO A POINT ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 34;

THENCE SOUTH 00°45'14" WEST, ALONG SAID EAST LINE, A DISTANCE OF 330.36 FEET TO THE **POINT OF BEGINNING**.

SAID PARCEL CONTAINS 437,387 SQUARE FEET OR 10.0410 ACRES, MORE OR LESS.