



Chandler · Arizona
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OCT 22 2015
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All-America City
2010

MEMORANDUM **Planning Division – CC Memo No. 15-132**

DATE: OCTOBER 22, 2015

TO: MAYOR AND COUNCIL

THRU: MARSHA REED, ACTING CITY MANAGER *MR*
 JEFF KURTZ, PLANNING ADMINISTRATOR *JK*
 KEVIN MAYO, PLANNING MANAGER *KM*

FROM: LAUREN SCHUMANN, CITY PLANNER *LS*

SUBJECT: DVR15-0030 NORTHEAST CORNER OF 138TH STREET AND OCOTILLO ROAD

Introduction and Tentative Adoption of Ordinance No. 4664

Request: The establishment of initial City zoning of Agricultural (AG-1) on two parcels totaling approximately 19 acres

Location: Northeast corner of 138th Street and Ocotillo Road

Applicant: City of Chandler

RECOMMENDATION

Upon finding the request to be consistent with Arizona Revised Statutes, Planning Commission and Planning Staff recommend approval.

BACKGROUND

The property is located at the northeast corner of 138th Street and Ocotillo Road. The subject site is undeveloped and used for horses to graze. The property is currently zoned Rural-43 (RU-43) within the County. The site is bordered by unincorporated rural residential properties zoned RU-43 to the north and east. Ocotillo Road is adjacent to the south and Layton Lakes Parcel 28, which is under development, is located west of 138th Street. The Chandler Land Use Element of the General Plan designates the site as Residential. The property owner has no immediate plans to subdivide the property.

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.”

PUBLIC / NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- As of the writing of this memo, Planning Staff is not aware of any formal opposition to this request.

PLANNING COMMISSION VOTE REPORT

Motion to Approve.

In Favor: 5 Opposed: 0 Absent: 2 (Baron, Foley)

RECOMMENDED ACTION

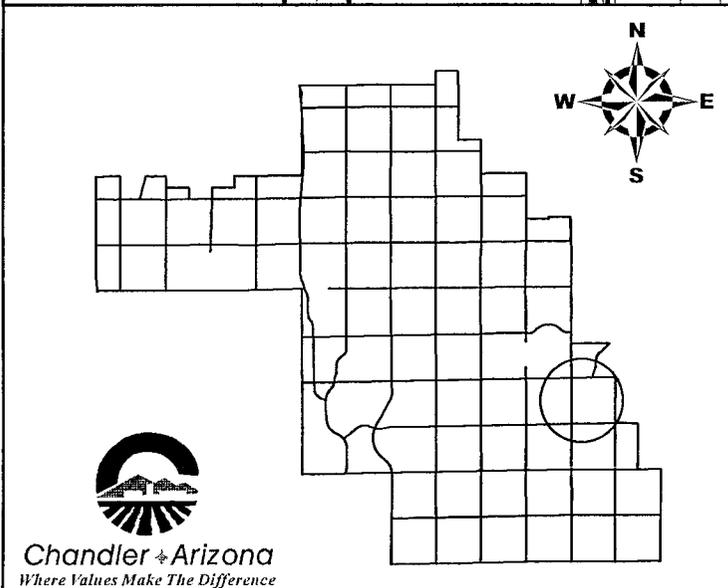
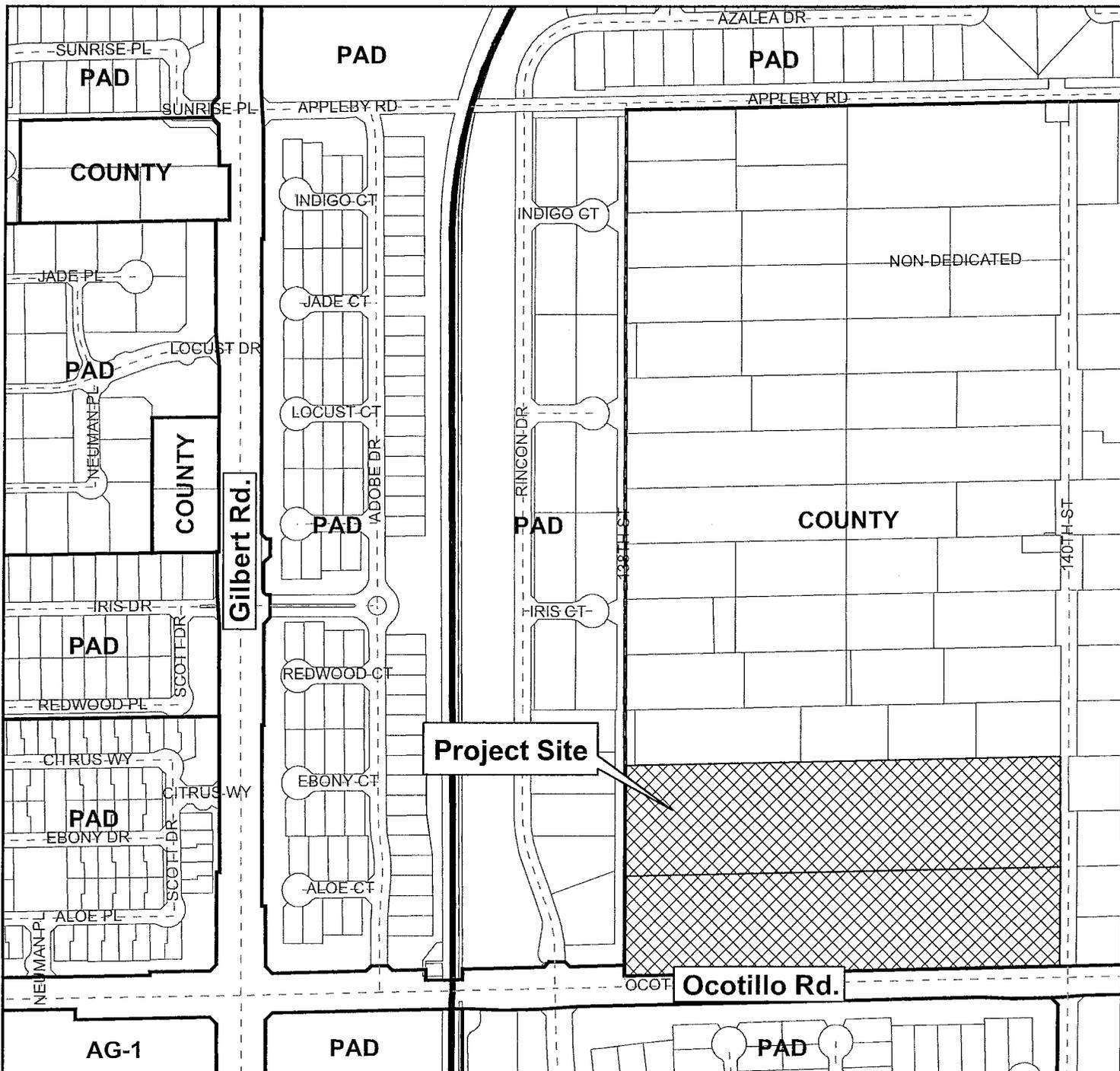
Planning Commission and Planning Staff recommend City Council approve the initial City zoning following the annexation.

PROPOSED MOTION

Move City Council introduce and tentative adopt Ordinance No. 4664, approving the initial City zoning request DVR15-0030 NORTHEAST CORNER OF 138TH STREET AND OCOTILLO ROAD, for AG-1 as recommended by Planning Commission and Planning Staff.

Attachments

1. Vicinity Maps
2. Ordinance No. 4664



Vicinity Map



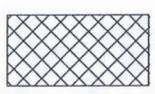
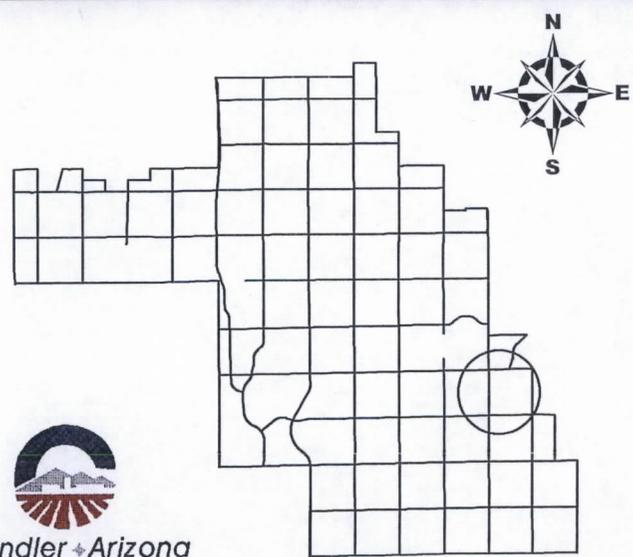
DVR15-0030

**Northeast of Corner of 138th Street
and Ocotillo Road**

CITY OF CHANDLER 9/17/2015



Vicinity Map



DVR15-0030

Northeast of Corner of 138th Street
and Ocotillo Road

ORDINANCE NO. 4664

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, ESTABLISHING INITIAL CITY ZONING OF AGRICULTURAL (AG-1) (DVR15-0030 NORTHEAST CORNER OF 138TH STREET AND OCOTILLO 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'

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 Planning & 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.

Exhibit A

SCOTT W. MORRISON/KAREN R. PANIETZ CHARITABLE REMAINDER TRUST

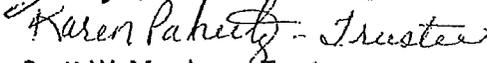
Karen R. Panietz – Trustee
21641 S. 138th St.
Chandler, AZ 85286-9383
602-881-2595

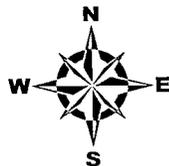
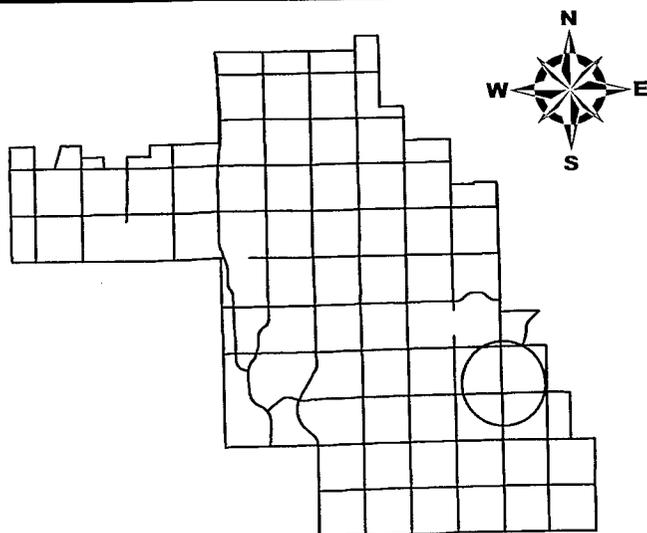
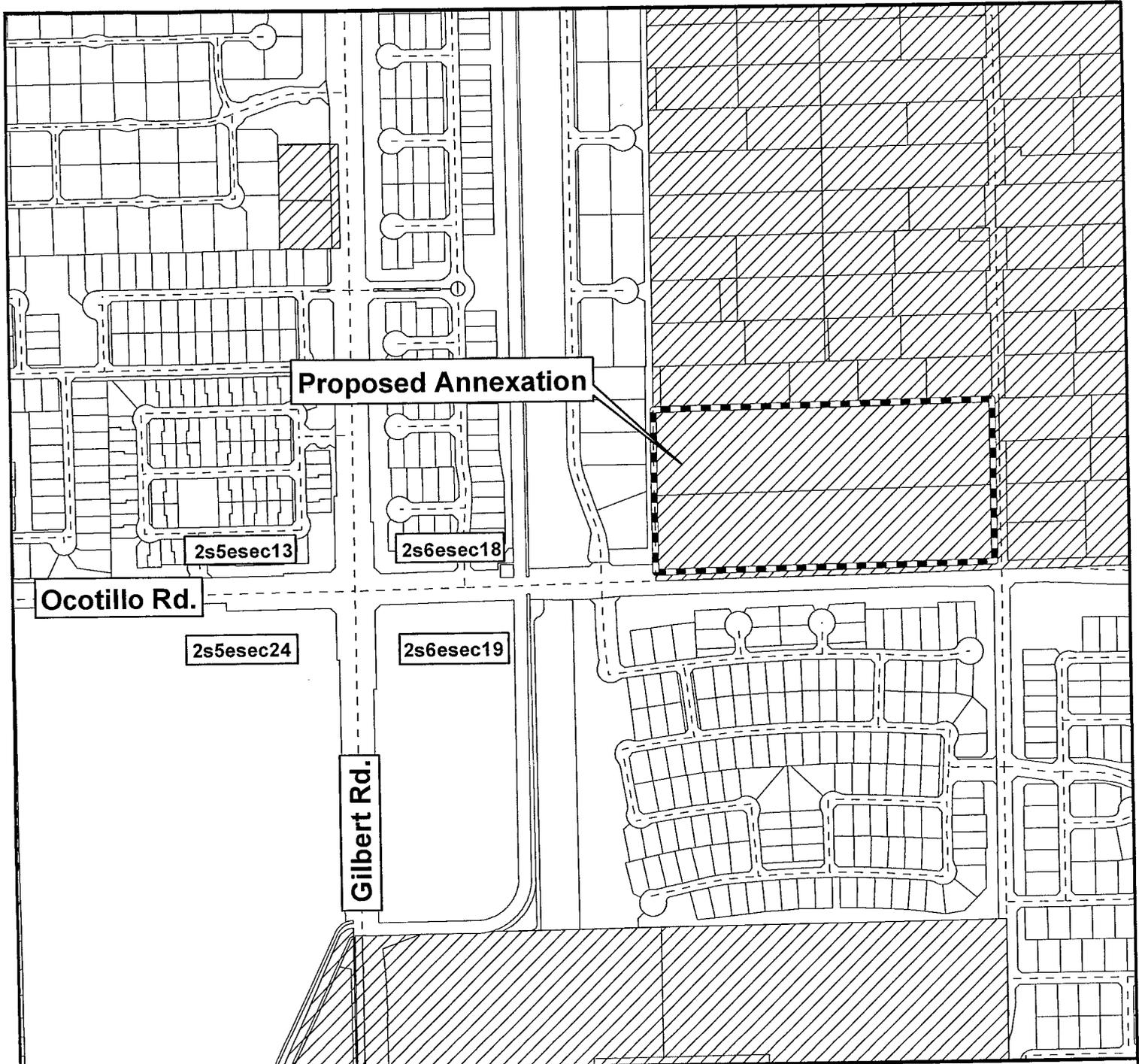
Scott W. Morrison – Trustee
8555 N. 84th St.
Scottsdale, AZ 85258-2404
602-819-2991

APN PARCEL NUMBERS AND LEGAL DESCRIPTIONS

1. Parcel ID: 304 – 73 – 198
Legal Description:
SEC/LOT: 18 TWNS/BLOCK: 2S RANGE/TRACT: 6E
N 330F OF S2 SE4 SW4 SEC 18 IN E 25F RD
2. Parcel ID: 304 – 73 – 199
Legal Description:
SEC/LOT: 18 TWNS/BLOCK: 2S RANGE/TRACT: 6E
S2 SE4 SW4 EX N 330F TH/OF & IN S 33F RD & IN E 25F RD P/F 00 – 849285

Thank you:

 - TRUSTEE
 - Trustee
Scott W. Morrison – Trustee
Karen Panietz – Trustee
July 28, 2015



Annexation Map



Proposed Annexation

Northeast Corner of 138th Street
and Ocotillo Road



Incorporated Area



Unincorporated Area

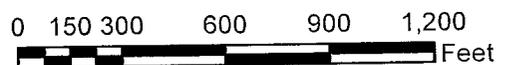


Exhibit A