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**Chandler • Arizona**  
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**MEMORANDUM                      Planning and Development – CC Memo No. 08-028**

**DATE:**            JANUARY 24, 2008

**TO:**                MAYOR AND CITY COUNCIL

**THRU:**            W. MARK PENTZ, CITY MANAGER  
                         DOUG BALLARD, PLANNING AND DEVELOPMENT DIRECTOR  
                         JEFF KURTZ, ASSISTANT PLANNING AND DEVELOPMENT DIRECTOR  
                         BOB WEWORSKI, PLANNING MANAGER

**FROM:**            KEVIN MAYO, PRINCIPAL PLANNER

**SUBJECT:**        DVR07-0059 SOUTHEAST CORNER OF ARIZONA AVENUE AND GERMANN ROAD  
                         Introduction and Tentative Adoption of Ordinance No. 3955

**Request:**            The establishment of initial city zoning of Regional Commercial District (C-3)

**Location:**            Southeast corner of Arizona Avenue and Germann Road

**Project Info:**        Approximately 3.5-acre site

**Applicant:**            City of Chandler

**Owner:**             Interra-Vision Development, Inc.  
                         Mark Huey

**RECOMMENDATION**

The request is to establish the initial city zoning as a part of and follow up to the City's Annexation process. Upon finding the request to be consistent with the General Plan, Planning Commission and Staff recommend approval.

**BACKGROUND**

The request is to establish the initial city zoning of Regional Commercial District (C-3) on an approximately 3.5-acre site located at the southeast corner of Arizona Avenue and Germann Road. Adoption of an annexation Ordinance authorizes the City to initiate a zoning action as

required by State Statutes to adopt and establish an initial city zoning classification upon the newly annexed property. This request, initiated by Staff, serves to simply establish the site with a zoning designation of C-3 (Regional Commercial District), which is most comparable to the site's previous County zoning designation of C-3. The approval of this zoning action insures that any future development on the site shall occur in conformance with City standards.

**PUBLIC / NEIGHBORHOOD NOTIFICATION**

- This request was noticed according to the provisions of the City of Chandler Zoning Code.
  
- Staff is not aware of any opposition to this request.

**PLANNING COMMISSION VOTE REPORT**

Motion to approve:

In Favor: 7    Opposed: 0

**RECOMMENDED ACTION**

Upon finding consistency with the General Plan, Planning Commission and Staff recommend approval of the establishment of initial city zoning of C-3 (Regional Commercial District) on an approximately 3.5-acre site located at the southeast corner of Arizona Avenue and Germann Road.

**PROPOSED MOTION**

Move to introduce and tentatively adopt Ordinance No. 3955 approving DVR07-0059 SOUTHEAST CORNER OF ARIZONA AVENUE AND GERMANN ROAD, as recommended by Planning Commission and Staff.

**Attachments**

1. Vicinity Map
2. Ordinance No. 3955



**ORDINANCE NO. 3955**

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, ESTABLISHING INITIAL CITY ZONING OF REGIONAL COMMERCIAL DISTRICT (C-3) (DVR07-0059 SOUTHEAST CORNER OF ARIZONA AVENUE AND GERMANN 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:**

The North half of the Northwest Quarter of the Northwest Quarter of the Northwest Quarter of Section 10, 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 brass cap in hand hole at the Northwest Corner of said Section 10, from which, a brass cap in hand hole at the North Quarter Corner of said Section 10, bears North 88 degrees 54 minutes 38 seconds East, a distance of 2644.68 feet;

Thence North 88 degrees 54 minutes 38 seconds East, along the North Line of said Northwest Quarter of Section 10, a distance of 661.27 feet;

Thence South 00 degrees 29 minutes 01 seconds East, leaving said North Line, a distance of 330.67 feet;

Thence South 88 degrees 54 minutes 45 seconds West, a distance of 661.07 feet to the West Line of Said Northwest Quarter;

Thence North 00 degrees 31 minutes 05 seconds West, along said West Line of, a distance of 330.64 feet to the **POINT OF BEGINNING** of the parcel herein described.

Said parcel is hereby zoned Regional Commercial District (C-3).

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.

INTRODUCED AND TENTATIVELY APPROVED by the City Council this \_\_\_\_ day of \_\_\_\_\_, 2008.

ATTEST:

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

\_\_\_\_\_  
MAYOR

PASSED AND ADOPTED by the City Council this \_\_\_\_ day of \_\_\_\_\_, 2008.

ATTEST:

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

\_\_\_\_\_  
MAYOR

**CERTIFICATION**

I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 3955 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2008, and that a quorum was present thereat.

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

APPROVED AS TO FORM:

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

*GAB*

PUBLISHED: