



MEMORANDUM Planning Division – CC Memo No. 14-140

DATE: NOVEMBER 20, 2014

TO: MAYOR AND COUNCIL

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

FROM: DAVID DE LA TORRE, AICP, PRINCIPAL PLANNER DDT

SUBJECT: ANNEXATION – SOUTHWEST CORNER OF QUEEN CREEK ROAD AND UNION PACIFIC RAILROAD
Introduction and Tentative Adoption of Ordinance No. 4590

Request: Annexation of approximately 18.75 acres

Location: Southwest corner of Queen Creek Road and the Union Pacific Railroad

Applicant: Adam Baugh, Withey Morris PLC

BACKGROUND

The subject site is an undeveloped parcel that is zoned RU-43 within the County. The site is currently used for agricultural purposes and is bordered by an unincorporated rural residential property to the west, Queen Creek Road to the north, the Union Pacific Railroad to the east, and undeveloped property owned by First Baptist Church to the south.

A public hearing for this annexation was held at the October 23, 2014, Council meeting. Staff has not received any comments from residents or other members of the public regarding this annexation. Staff circulated this request among City Departments and received no negative comments relative to the property’s annexation.

The Chandler Land Use Element of the General Plan designates the site as Employment and refers to the Chandler Airpark Area Plan (CAAP) for more specific land uses. The CAAP designates the subject site as Commercial/Office/Business Park with a Light Rail Corridor

Overlay. An area plan amendment application, rezoning and preliminary development plan application has been submitted for a small lot single family development on the subject site.

Planning Staff does not support the land use that is requested with the pending development applications, but does not oppose the annexation of the subject property to allow the pending applications to be reviewed by the Planning Commission and City Council.

RECOMMEDATION

Planning Staff recommends approval of Ordinance No. 4590, annexing approximately 18.75 acres of land as presented in case SOUTHWEST CORNER OF QUEEN CREEK ROAD AND UNION PACIFIC RAILROAD.

PROPOSED MOTION

Move to introduce and tentatively adopt Ordinance No. 4590, annexing approximately 18.75 acres of land described in said Ordinance, also known as SOUTHWEST CORNER OF QUEEN CREEK ROAD AND UNION PACIFIC RAILROAD, as recommended by Planning Staff.

Attachments

1. Ordinance No. 4590
2. Annexation Map
3. Legal Description

ORDINANCE NO. 4590

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE CITY OF CHANDLER, MARICOPA COUNTY, STATE OF ARIZONA, (SOUTHWEST CORNER OF QUEEN CREEK ROAD AND UNION PACIFIC RAILROAD) PURSUANT TO THE PROVISIONS OF TITLE 9, CHAPTER 4, ARTICLE 7, ARIZONA REVISED STATUTES, BY ANNEXING THERETO CERTAIN TERRITORY CONTIGUOUS TO THE EXISTING CITY LIMITS OF THE CITY OF CHANDLER.

WHEREAS, a petition has been presented in writing to the City Council of the City of Chandler, Arizona, signed by the property owners of at least one-half of the value of the real and personal property as would be subject to taxation by the City of Chandler in the event of annexation and by more than one-half of the property owners within the territory and land hereinafter described as shown by the last assessment of said property, said territory being contiguous to the City of Chandler and not now embraced within its limits, asking that the property more particularly hereinafter described be annexed to the City of Chandler so as to embrace the same; and

WHEREAS, a blank petition was filed on October 1, 2014 with the County Recorder, that a Public Hearing was held on October 23, 2014 after proper notice was given, that the thirty day waiting period ended on October 31, 2014 and that the petition was circulated thereafter and signed; and,

WHEREAS, the City Council of the City of Chandler, Arizona, is desirous of complying with said petition and extending and increasing the corporate limits of the City of Chandler to include said territory; and,

WHEREAS, the said petition sets forth a true and correct description of all the exterior boundaries of the entire area proposed to be annexed by the City of Chandler and had attached thereto at all times an accurate map of the territory desired to be annexed; and,

WHEREAS, no additions or alterations increasing the territory sought to be annexed have been made after the said petition had been signed by any owner of real and/or personal property in such territory; and,

WHEREAS, no alterations decreasing the territory sought to be annexed have been made and therefore the territory to be annexed is the territory hereinafter described; and

WHEREAS, proper and sufficient certification and proof and the foregoing facts are now on file in the Office of the City Clerk of the City of Chandler, Arizona, together with the original petition referred to herein;

WHEREAS, the City may elect to provide regular fire department services to a newly annexed area under A.R.S. § 48-813(A); and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Chandler, Arizona, as follows:

SECTION 1. That the following described territory be and the same hereby is annexed to the City of Chandler and that the present corporate limits be and the same hereby are extended and increased to include the following described territory contiguous to the present City limits:

See Attached Exhibit 'A', Annexation Map and Legal Description

SECTION 2. Pursuant to A.R.S. § 48-813(A), the property depicted in Exhibit A is hereby placed under the City's fire, emergency medical and police protection generally provided to other residents within the city. The services shall take effect on the first (1st) day of July following the date on which this annexation becomes final as set forth in Section 6 below, without further action by the City Council.

SECTION 3. Upon adoption of this annexation ordinance, and in no event for longer than six (6) months after the effective date of this annexation ordinance, the county zoning for said property shall continue in effect, unless and until the City of Chandler has established City zoning for said property.

SECTION 4. The Clerk of this City is hereby instructed to file and record a copy of this Ordinance, together with an accurate map of said annexed territory, certified by the Mayor of said City, in the Office of the County Recorder of Maricopa County, Arizona.

SECTION 5. 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.

SECTION 6. This ordinance shall take effect, and the annexation of the subject property shall become final, thirty days after this Ordinance is adopted.

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 _____, 2014.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

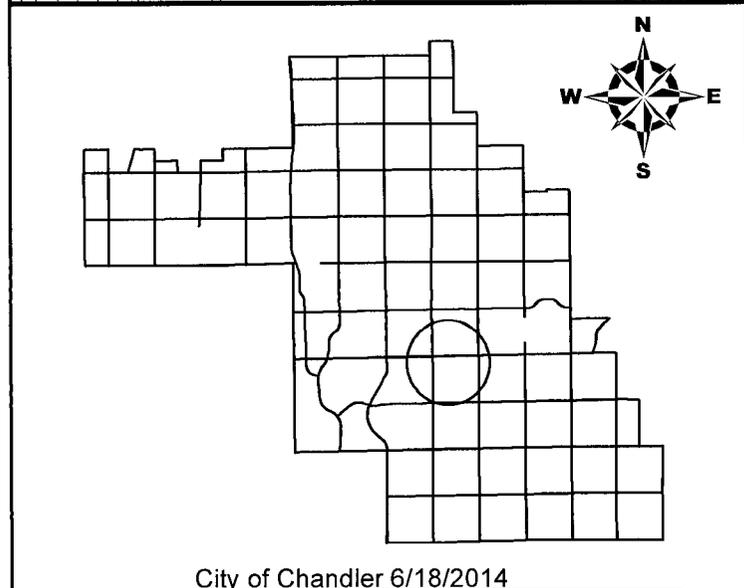
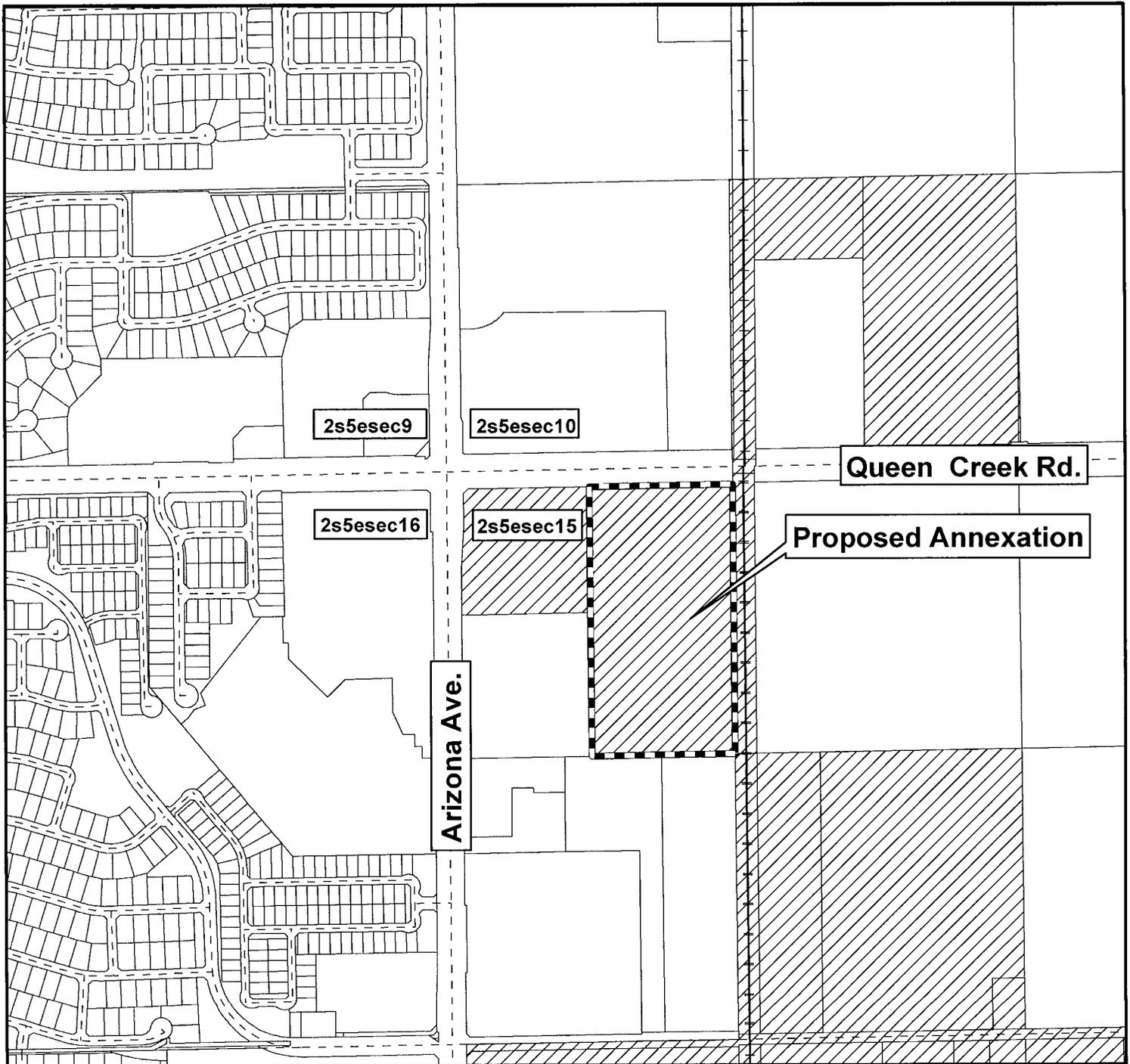
I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 4590 was duly passed and
adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the
____ day of _____, 2014, and that a quorum was present thereat.

CITY CLERK

APPROVED AS TO FORM:

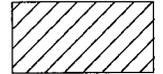
CITY ATTORNEY KSM

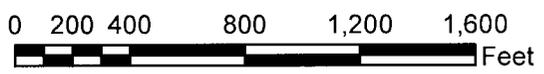
PUBLISHED:



Annexation Map

Ordinance No. 4590 - Exhibit A

-  **Proposed Annexation**
Southwest Corner of Queen Creek Road
and the Union Pacific Railroad
-  **Incorporated Area**
-  **Unincorporated Area**



ORDINANCE NO. 4590

EXHIBIT A – LEGAL DESCRIPTION

Southwest corner of Queen Creek Road and the Union Pacific Railroad

The East half of the Northwest Quarter of the Northwest Quarter of Section 15, Township 2 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County Arizona;

Except the North 80 feet thereof.