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Where Values Make The Difference

MEMORANDUM **Planning Division – CC Memo No. 15-022**

DATE: FEBRUARY 12, 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: DAVID DE LA TORRE, AICP, PRINCIPAL PLANNER DDLT

SUBJECT: ANNEXATION – SOUTH OF THE SOUTHEAST CORNER OF CHANDLER HEIGHTS AND COOPER ROADS
Introduction and Tentative Adoption of Ordinance No. 4605

Request: Annexation of approximately 9.53 acres

Location: South of the Southeast corner of Chandler Heights and Cooper roads

Applicant: Michael Cronin, Terra West Communities

BACKGROUND

The subject site consists of three rural residential properties currently zoned RU-43 in the County. Two of the properties have existing single family homes and ancillary structures, and the third is undeveloped. The site is bordered by rural residential properties to the north, east and west, and abuts the Circle G at Riggs Homestead Ranch neighborhood to the south.

On March 28, 2013, the City approved the annexation of 25 acres adjoining the north and east sides of the subject site. The applicant intends to develop a low-density residential neighborhood on the subject properties together with the previously annexed 25 acres. A rezoning application and preliminary development plans are currently being reviewed and will be forthcoming to Mayor and Council. 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, supporting low-density residential development.

Council held a public hearing for this annexation on January 22, 2015. Planning Staff has not received any comments from residents or other members of the public regarding this annexation. Planning Staff circulated this request among City Departments and received no negative comments relative to the property's annexation.

RECOMMEDATION

Planning Staff recommends approval of Ordinance No. 4605, annexing approximately 9.53 acres of land as presented in case SOUTH OF THE SOUTHEAST CORNER OF CHANDLER HEIGHTS AND COOPER ROADS.

PROPOSED MOTION

Move to introduce and tentatively adopt Ordinance No. 4605, annexing approximately 9.53 acres of land described in said Ordinance, also known as SOUTH OF THE SOUTHEAST CORNER OF CHANDLER HEIGHTS AND COOPER ROADS, as recommended by Planning Staff.

Attachments

1. Ordinance No. 4605
2. Annexation Map
3. Legal Description

ORDINANCE NO. 4605

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, (SOUTH OF THE SOUTHEAST CORNER OF CHANDLER HEIGHTS AND COOPER ROADS) 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 December 29, 2014 with the County Recorder, that a Public Hearing was held on January 22, 2015 after proper notice was given, that the thirty day waiting period ended on January 28, 2015 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 _____, 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

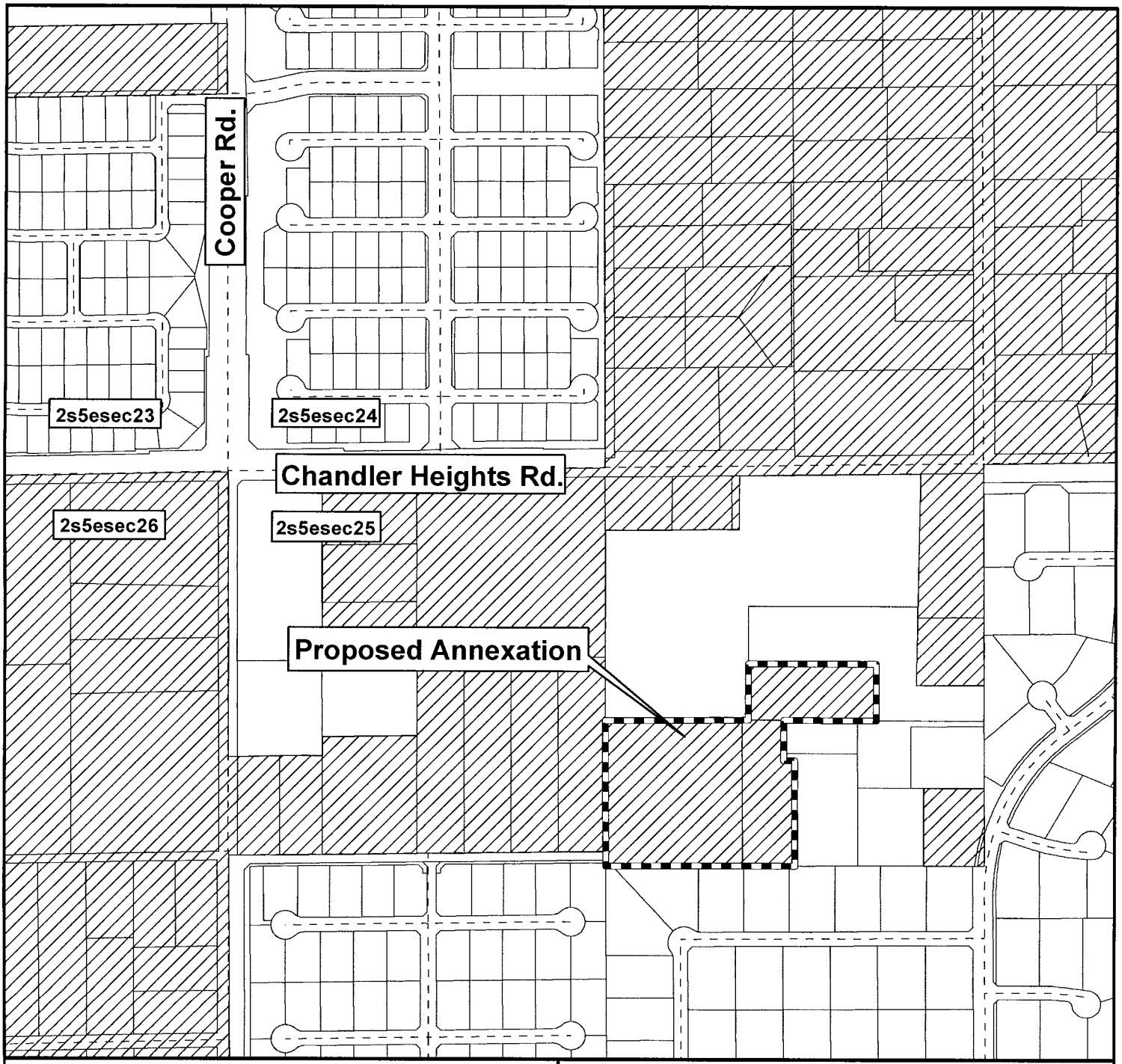
I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 4605 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the _____ day of _____, 2015, and that a quorum was present thereat.

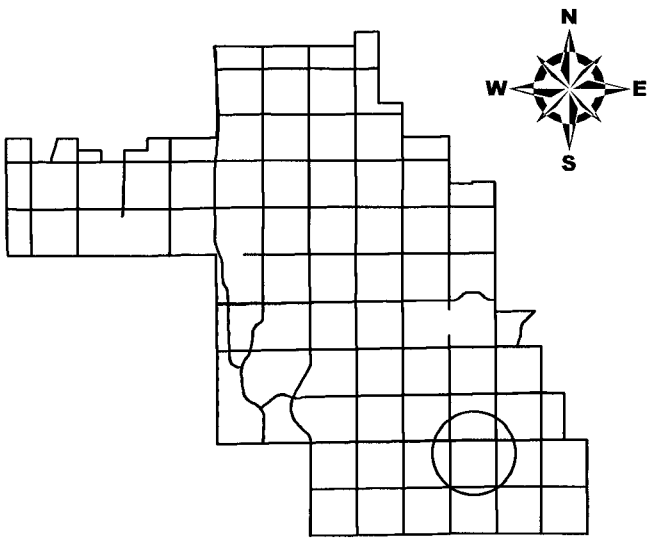
_____
CITY CLERK

APPROVED AS TO FORM:

_____
CITY ATTORNEY KSm

PUBLISHED:





City of Chandler 1/28/2015

Annexation Map

Ordinance No. 4605

Proposed Annexation

South of the Southeast Corner of Chandler Heights and Cooper Roads

Incorporated Area

Unincorporated Area

0 150 300 600 900 1,200 Feet

Exhibit A

ORDINANCE NO. 4605

EXHIBIT A

Legal Description of Parcel 1

That part of the Northwest quarter of Section 25, Township 2 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

Commencing at the North quarter corner of said Section 25;

Thence South 0 degrees 07 minutes 45 seconds East (Basis of Bearings) along the North-South Mid-Section line of said Section 25, a distance of 1322.17 feet to the Southeast corner of the Northeast quarter of the Northwest quarter of said Section 25;

Thence continuing South 0 degrees 07 minutes 45 seconds East, along the said North-South Mid-Section line of Section 25, a distance of 80.00 feet;

Thence North 89 degrees 57 minutes 06 seconds West (North 89 degrees 56 minutes 52 seconds West record) along the Northerly line of Circle G at Riggs Ranch Homestead Unit IV as recorded in Book 452 of Maps, page 8, Maricopa County Records, a distance of 841.26 feet to the TRUE POINT OF BEGINNING;

Thence continuing North 89 degrees 57 minutes 06 seconds West, 474.52 feet to a point on the Westerly line of the East half of the Northwest quarter of said Section 25;

Thence North 0 degrees 04 minutes 01 seconds West, along the said Westerly line of the East half of the Northwest quarter of Section 25, a distance of 66.00 feet to the Southwest corner of the Northeast quarter of the Northwest quarter of said Section 25;

Thence continuing North 0 degrees 04 minutes 01 seconds West, 441.34 feet to a point from which the Northwest corner of the said Northeast quarter of the Northwest quarter of Section 25, bears North 0 degrees 04 minutes 01 seconds West, 881.56 feet distant therefrom;

Thence South 89 degrees 57 minutes 06 seconds East, 474.53 feet to a point from which a point on the North-South Mid-Section line of said Section 25, bears South 89 degrees 57 minutes 06 seconds East, 840.71 feet distant therefrom;

Thence South 0 degrees 04 minutes 01 seconds East, being parallel with the said Westerly line of the East half of the Northwest quarter of Section 25, a distance of 507.34 feet to the TRUE POINT OF BEGINNING.

ORDINANCE NO. 4605
EXHIBIT A

Legal Description of Parcel 2

THAT PART OF THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 25;

THENCE SOUTH 00 DEGREES 07 MINUTES 45 SECONDS EAST ALONG THE NORTH-SOUTH MID-SECTION LINE OF SAID SECTION 25, A DISTANCE OF 1322.17 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 25;

THENCE CONTINUING SOUTH 00 DEGREES 07 MINUTES 45 SECONDS EAST ALONG THE SAID NORTH-SOUTH MID-SECTION LINE OF SECTION 25 A DISTANCE OF 80.00 FEET;

THENCE NORTH 89 DEGREES 57 MINUTES 06 SECONDS WEST, MEASURED (NORTH 89 DEGREES 56 MINUTES 52 SECONDS, OF RECORD) ALONG THE NORTHERLY LINE ON CIRCLE G AT BRIGGS RANCH HOMESTEAD UNIT IV AS RECORDED IN BOOK 452 OF MAPS, PAGE 8, RECORDS OF MARICOPA COUNTY A DISTANCE OF 659.24 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING NORTH 89 DEGREES 57 MINUTES 06 SECONDS WEST A DISTANCE OF 182.02 FEET TO A POINT FROM WHICH A POINT ON THE WESTERLY LINE OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 25 BEARS NORTH 89 DEGREES 57 MINUTES 06 SECONDS WEST 474.52 FEET DISTANT THEREFROM;

THENCE NORTH 00 DEGREES 04 MINUTES 01 SECONDS WEST, BEING PARALLEL WITH THE SAID WESTERLY LINE OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 25 A DISTANCE OF 507.34 FEET;

THENCE SOUTH 89 DEGREES 57 MINUTES 06 SECONDS EAST A DISTANCE OF 144.95 FEET TO A POINT FROM WHICH A POINT ON THE NORTH-SOUTH MID-SECTION LINE OF SAID SECTION 25 BEARS SOUTH 89 DEGREES 57 MINUTES 06 SECONDS EAST 695.76 FEET DISTANT THEREFROM;

THENCE SOUTH 00 DEGREES 04 MINUTES 01 SECONDS EAST, BEING PARALLEL WITH THE SAID WESTERLY LINE OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 25 A DISTANCE OF 140.65 FEET;

THENCE SOUTH 89 DEGREES 57 MINUTES 06 SECONDS EAST 37.07 FEET;

THENCE SOUTH 00 DEGREES 04 MINUTES 01 SECONDS EAST BEING PARALLEL WITH THE SAID WESTERLY LINE OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 25 A DISTANCE OF 366.69 FEET TO THE TRUE POINT OF BEGINNING.

ORDINANCE NO. 4605

EXHIBIT A

Legal Description of Parcel 3

That part of the Northwest quarter of Section 25, Township 2 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

Commencing at the North Quarter corner of said Section 25;

Thence South 00 degrees 07 minutes 45 seconds East (Basis of Bearings) along the North-South Mid-Section line of said Section 25, a distance of 894.83 feet to a point from which the Southeast Corner of the Northeast Quarter of the Northwest Quarter of said Section 25 bears South 00 degrees 07 minutes 45 seconds East, 427.34 feet distant therefrom;

Thence North 89 degrees 57 minutes 06 seconds West, 373.61 feet to the TRUE POINT OF BEGINNING;

Thence continuing North 89 degrees 57 minutes 06 seconds West, 445.03 feet to a point from which a point on the Westerly line of the Northeast Quarter of the Northwest Quarter of said Section 25 bears North 89 degrees 57 minutes 06 seconds West, 496.60 feet distant therefrom;

Thence North 00 degrees 04 minutes 01 second West, being parallel with the said Westerly line of the Northeast Quarter of the Northwest Quarter of said Section 25, a distance of 195.83 feet;

Thence South 89 degrees 57 minutes 06 seconds East, 444.82 feet to a point from which a point on the said North-South Mid-Section line of Section 25, bears South 89 degrees 57 minutes 06 seconds East, 373.61 feet distant therefrom;

Thence South 00 degrees 07 minutes 45 seconds East, being parallel wih the said North-South Mid-Section line of Section 25, a distance of 195.83 feet to the TRUE POINT OF BEGINNING.

Subject to any and all existing easements and or rights-of-way affecting the above described property.