

#9

FEB 12 2015



MEMORANDUM Planning Division – CC Memo No. 15-023

DATE: FEBRUARY 12, 2015

TO: MAYOR AND COUNCIL

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

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

SUBJECT: ANNEXATION – NORTHWEST CORNER OF GILBERT AND BROOKS FARM ROADS
Introduction and Tentative Adoption of Ordinance No. 4606

Request: Annexation of approximately 5 acres

Location: Northwest corner of Gilbert and Brooks Farm roads

Applicant: Stephen C. Earl, Earl, Curley & Lagarde, P.C.

BACKGROUND

The subject site is an approximately 5-acre undeveloped parcel and adjacent right-of-way adjoining the north side of the Roosevelt Water Conservation District’s reservoir that wraps around the Basha’s shopping center at the northwest corner of Chandler Heights and Gilbert roads. The site, currently zoned RU-43 in the County, is bordered by the Eastern Canal on the west, an undeveloped and unincorporated parcel on the north, and Gilbert Road on the east.

The property owner would like to develop a self-storage facility on the site and intends to follow the annexation with a request for rezoning and preliminary development plan approval. The Chandler Land Use Element of the General Plan designates the site as Residential, for which self-storage facilities can be considered to serve the needs of residential areas.

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. 4606, annexing approximately 5 acres of land as presented in case NORTHWEST CORNER OF GILBERT AND BROOKS FARM ROADS.

PROPOSED MOTION

Move to introduce and tentatively adopt Ordinance No. 4606, annexing approximately 5 acres of land described in said Ordinance, also known as NORTHWEST CORNER OF GILBERT AND BROOKS FARM ROADS, as recommended by Planning Staff.

Attachments

1. Ordinance No. 4606
2. Annexation Map
3. Legal Description

ORDINANCE NO. 4606

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, (NORTHWEST CORNER OF GILBERT AND BROOKS FARM 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 23, 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 22, 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

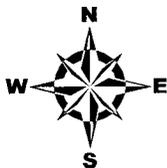
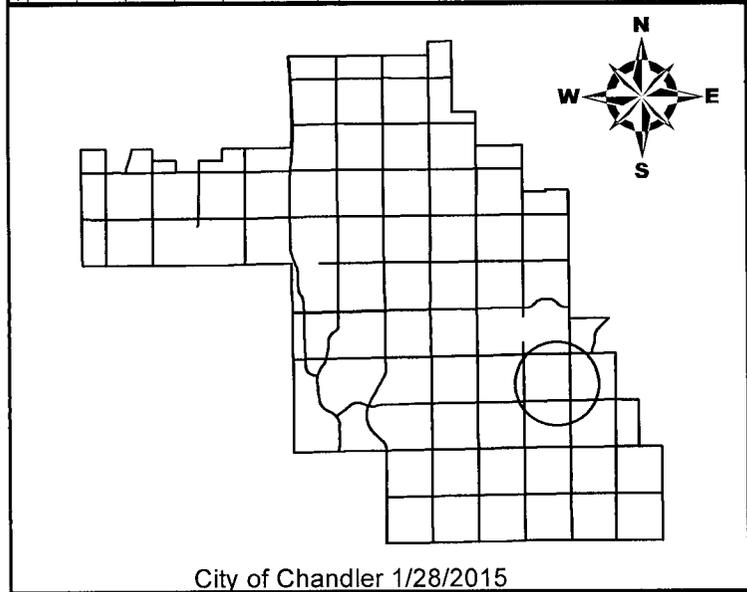
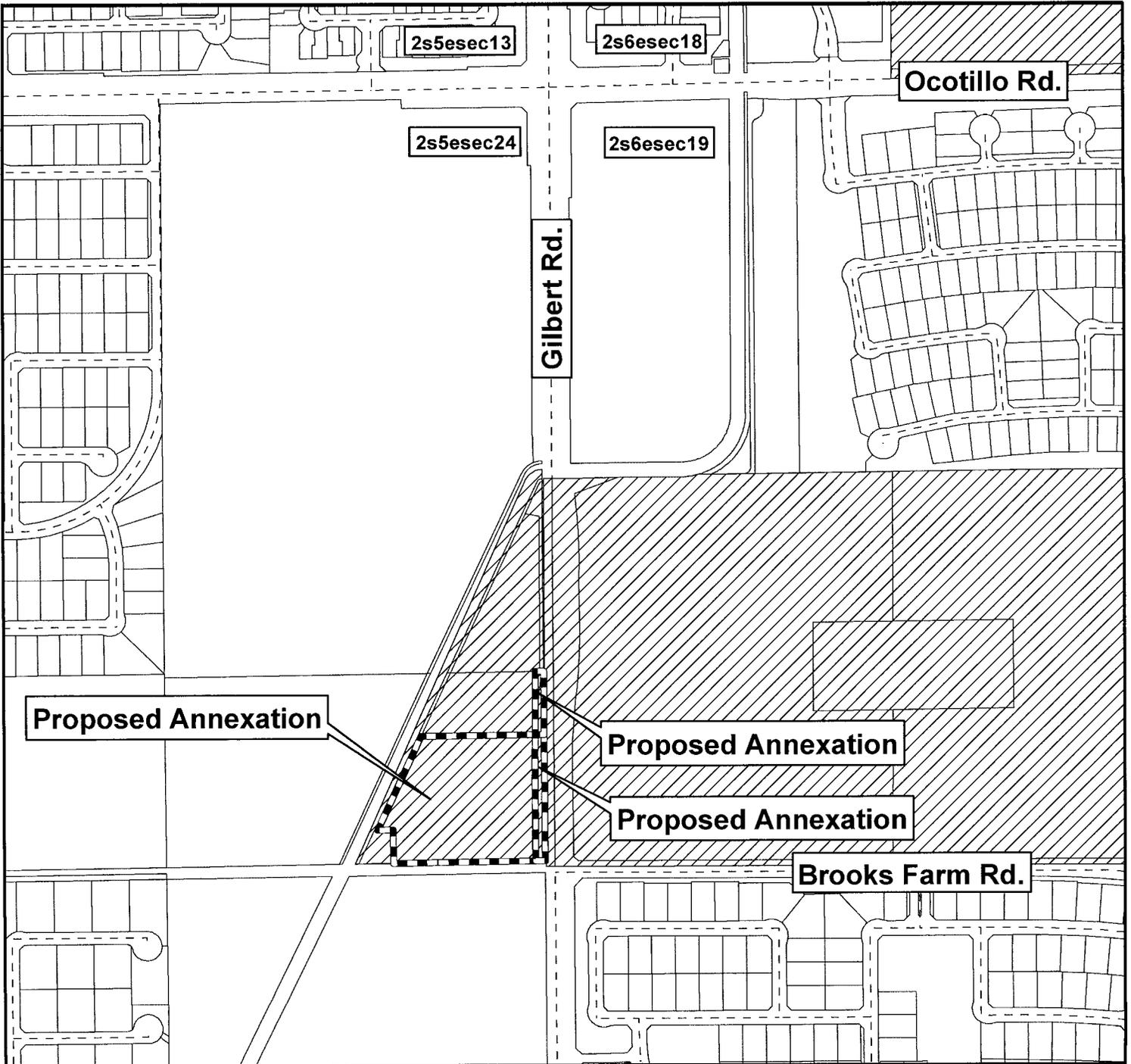
I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 4606 was duly passed and
adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the
____ day of _____, 2015, and that a quorum was present thereat.

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY *Kan*

PUBLISHED:



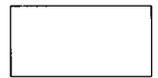
Annexation Map

Ordinance No. 4606

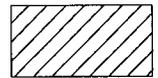


Proposed Annexation

Northwest Corner of Gilbert and Brooks Farm Roads



Incorporated Area



Unincorporated Area

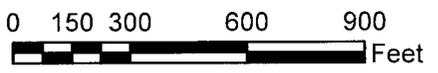


Exhibit A

ORDINANCE NO. 4606
EXHIBIT "A"
LEGAL DESCRIPTION FOR PARCEL 1

A portion of the Northeast quarter of Section 24, 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 Southeast corner of the Northeast quarter of said Section 24;

THENCE North 00 degrees 01 minutes 31 seconds West, a distance of 20 feet along the East line of said Section 24 to the POINT OF BEGINNING;

THENCE continuing North 00 degrees 01 minutes 31 seconds West, a distance of 427.98 feet to a point 214 feet South of the North line of the South half of the Southeast quarter of said Northeast quarter;

THENCE South 89 degrees 26 minutes 09 seconds West, parallel to said North line, a distance of 452.50 feet to a point on a line 30 feet Southeast, as measured at right angles to the centerline of the Eastern Canal;

THENCE South 25 degrees 30 minutes 48 seconds West, parallel to and 30.00 feet Southeast of the centerline of the Eastern Canal, a distance of 349.98 feet;

THENCE North 89 degrees 26 minutes 47 seconds East, parallel to the South line of the Northeast quarter of said Section 24, a distance of 57.57 feet;

THENCE South 00 degrees 12 minutes 14 seconds East, a distance of 113.50 feet to a point 20 feet North of the South line of the Northeast quarter of said Section 24;

THENCE North 89 degrees 26 minutes 47 seconds East, parallel to and 20 feet North of the South line of said Northeast quarter, a distance of 545.47 feet to the POINT OF BEGINNING;

EXCEPT the East 33.00 feet; AND

EXCEPT that part conveyed to the City of Chandler, an Arizona municipal corporation recorded December 27, 2012 in Recorder's No. 2012-1180847 described as follows:

COMMENCING at the Southeast corner of said Section 24, being monumented with a Brass Cap in handhole, from which the South quarter corner of said Section 24, being monumented with a Brass Cap in handhole, bears South 89 degrees 16 minutes 29 seconds West a distance of 2628.60 feet, said line being the south line of said Southeast quarter of Section 24 and the basis of bearing for this description;

Thence along the East line of said Southeast quarter, North 00 degrees 16 minutes 50 seconds West a distance of 2650.04 feet to the calculated position for the East quarter corner of said Section 24;

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ORDINANCE NO. 4606
EXHIBIT "A"

LEGAL DESCRIPTION FOR PARCEL 1

...CONTINUED FROM PAGE 1

Thence along the East line of said Northeast quarter of Section 24, North 00 degrees 18 minutes 16 seconds West a distance of 20.00 feet to a point on a line parallel with and 20.00 feet

Northerly, measured at right angles from the South line of said Northeast quarter;

Thence along said parallel line, South 89 degrees 10 minutes 11 seconds West a distance of 33.00 feet to a point on the existing West right of way line of Gilbert Road, said point being the Southeast corner of said parcel of land as described in Document No. 2006-0247943, said point also being the POINT OF BEGINNING;

Thence continuing along the South deed line of said parcel of land as described in Document No. 2006-0247943, South 89 degrees 10 minutes 11 seconds West a distance of 32.00 feet to a point on a line parallel with and 65.00 feet westerly, measured at right angles, from said East line of the Northeast quarter;

Thence along last-mentioned parallel line, North 00 degrees 18 minutes 16 seconds West a distance of 329.08 feet to the beginning of a tangent curve concave Easterly and having a radius of 1865.00 feet;

Thence Northerly along said curve, through a central angle of 03 degrees 02 minutes 21 seconds an arc length of 98.93 feet to a point on the North deed line of said parcel of land as described in Document No. 2006-0247943;

Thence along said North deed line, North 89 degrees 09 minutes 32 seconds East a distance of 29.38 feet to a point on said existing West right of way line of Gilbert Road;

Thence along said existing West right of way line of Gilbert Road, South 00 degrees 18 minutes 16 seconds East a distance of 427.95 feet to the POINT OF BEGINNING.

Containing an area of 200,189 SQUARE FEET or 4.596 ACRES, more or less.

LEGAL DESCRIPTION FOR TRANSFER OF PARCEL 2A
MARICOPA COUNTY RIGHT-OF-WAY TO THE CITY OF CHANDLER

That portion of a parcel of land as described in Document # 2006-0247943, records of MARICOPA COUNTY, ARIZONA, located in the NORTHEAST QUARTER of SECTION 24, 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 SOUTHEAST CORNER OF SAID SECTION 24, being monumented with a Brass Cap in handhole, from which the SOUTH QUARTER CORNER of SAID SECTION 24, being monumented with a Brass Cap in handhole, bears South 89 degrees 16 minutes 29 seconds West a distance of 2628.60 feet, said line being the South line of said Southeast Quarter of Section 24 and the basis of bearings for this description;

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ORDINANCE NO. 4606
EXHIBIT "A"
LEGAL DESCRIPTION FOR TRANSFER OF PARCEL 2A
MARICOPA COUNTY RIGHT-OF-WAY TO THE CITY OF CHANDLER

...CONTINUED FROM PAGE 2

Thence along the East line of said Southeast Quarter, North 00 degrees 16 minutes 50 seconds West a distance of 2650.04 feet to the calculated position for the East Quarter corner of said Section 24;

Thence along the East line of said Northeast Quarter of Section 24, North 00 degrees 18 minutes 16 seconds West a distance of 20.00 feet to a point on a line parallel with and 20.00 feet Northerly, measured at right angles from the South line of said Northeast Quarter;

Thence along said parallel line, South 89 degrees 10 minutes 11 seconds West a distance of 33.00 feet to a point on the existing West right of way line of Gilbert Road, said point being the Southeast corner of said parcel of land as described in Document # 2006-0247943, said point also being the POINT OF BEGINNING;

Thence continuing along the South deed line of said parcel of land as described in Document # 2006-0247943, South 89 degrees 10 minutes 11 seconds West a distance of 32.00 feet to a point on a line parallel with and 65.00 feet westerly, measured at right angles, from said East line of the Northeast Quarter;

Thence along last-mentioned parallel line, North 00 degrees 18 minutes 16 seconds West a distance of 329.08 feet to the beginning of a tangent curve concave Easterly and having a radius of 1865.00 feet;

Thence Northerly along said curve, through a central angle of 03 degrees 02 minutes 21 seconds an arc length of 98.93 feet to a point on the North deed line of said parcel of land as described in Document # 2006-0247943;

Thence along said North deed line, North 89 degrees 09 minutes 32 seconds East a distance of 29.38 feet to a point on said existing West right of way line of Gilbert Road;

Thence along said existing West right of way line of Gilbert Road, South 00 degrees 18 minutes 16 seconds East a distance of 427.95 feet to the POINT OF BEGINNING.

Containing an area of 13,608 SQUARE FEET or 0.312 ACRES, more or less.

LEGAL DESCRIPTION FOR TRANSFER OF PARCEL 2B
MARICOPA COUNTY RIGHT-OF-WAY TO THE CITY OF CHANDLER

That portion of a parcel of land as described in Document # 1998-1006653, records of MARICOPA COUNTY, ARIZONA, located in the NORTHEAST QUARTER of SECTION 24,

CONTINUED ON PAGE 4...

ORDINANCE NO. 4606
EXHIBIT "A"
LEGAL DESCRIPTION FOR TRANSFER OF PARCEL 2B
MARICOPA COUNTY RIGHT-OF-WAY TO THE CITY OF CHANDLER

...CONTINUED FROM PAGE 3

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 SOUTHEAST CORNER OF SAID SECTION 24, being monumented with a Brass Cap in handhole, from which the SOUTH QUARTER CORNER of SAID SECTION 24, being monumented with a Brass Cap in handhole, bears South 89 degrees 16 minutes 29 seconds West a distance of 2628.60 feet, said line being the South line of said Southeast Quarter of Section 24 and the basis of bearings for this description;

Thence along the East line of said Southeast Quarter, North 00 degrees 16 minutes 50 seconds West a distance of 2650.04 feet to the calculated position for the East Quarter corner of said Section 24;

Thence along the East line of said Northeast Quarter, North 00 degrees 18 minutes 16 seconds West a distance of 447.96 feet to a point on the Easterly prolongation of the South deed line of said parcel of land as described in Document # 1998-1006653;

Thence along said Easterly prolongation, South 89 degrees 09 minutes 32 seconds West a distance of 33.00 feet to a point on the existing West right of way line of Gilbert Road and the Southeast corner of said parcel of land as described in Document # 1998-1006653, said point being the POINT OF BEGINNING;

Thence continuing along the South deed line of said parcel of land as described in Document # 1998-1006653, South 89 degrees 09 minutes 32 seconds West a distance of 29.38 feet to a point on a non-tangent curve concave Easterly and having a radius of 1865.00 feet with an initial radial line which bears South 87 degrees 15 minutes 55 seconds East;

Thence Northerly along said curve through a central angle of 04 degrees 36 minutes 21 seconds an arc length of 149.92 feet to a point of reverse with a curve concave Westerly and having a radius of 1735.00 feet;

Thence Northerly along last-mentioned curve, through a central angle of 02 degrees 09 minutes 37 seconds an arc length of 65.41 feet to a point in the North deed line of said parcel of land as described in Document # 1998-1006653;

Thence along said North deed line, North 89 degrees 09 minutes 32 seconds East a distance of 7.94 feet to a point on said existing West right of way line of Gilbert Road;

Thence along said existing West right of way line of Gilbert Road, South 00 degrees 18 minutes 16 seconds East a distance of 214.01 feet to the POINT OF BEGINNING.

Containing an area of 4,235 SQUARE FEET or 0.097 ACRES, more or less.

Combined area of PARCELS 1 and 2 equals 218,032 Square Feet or 5.005 acres, more or less.