



Chandler · Arizona
Where Values Make The Difference

#8
OCT 22 2015
Chandler
All-America City
2010

MEMORANDUM **Planning Division – CC Memo No. 15-127**

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: ANNEXATION - NORTHEAST CORNER OF 138TH STREET AND
 OCOTILLO ROAD
 Introduction and Tentative Adoption of Ordinance No. 4663

Request: Annexation of two parcels totaling approximately 19 acres
Location: Northeast corner of 138th Street and Ocotillo Road
Applicant: Scott Morrison & Karen Panietz, Property Owners

RECOMMEDATION

Upon finding the request to be consistent with Arizona Revised Statutes, Planning Staff recommends City Council approve the annexation.

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.

UTILITY SERVICES

Existing municipal water service (16”), waste water service (8”), and reclaimed water (8”) are available in Ocotillo Road.

STAFF COMMENTS

A public hearing for this annexation was held at the September 24, 2015, City Council Meeting. As of writing this memo, Planning Staff is unaware of any opposition to the request. Planning Staff circulated this request among City Departments and received no negative comments relative to the property's annexation.

RECOMMENDED ACTION

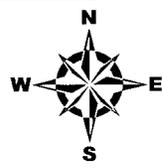
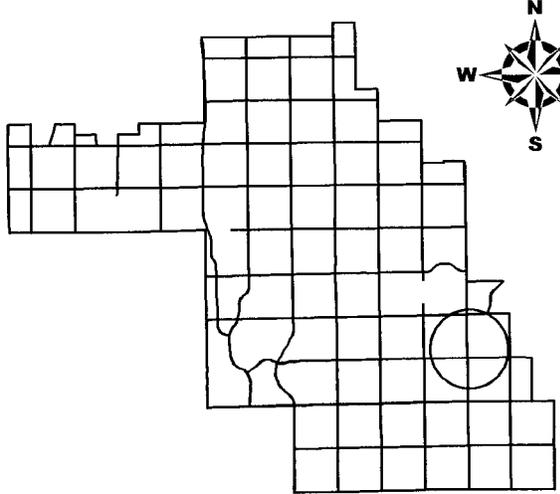
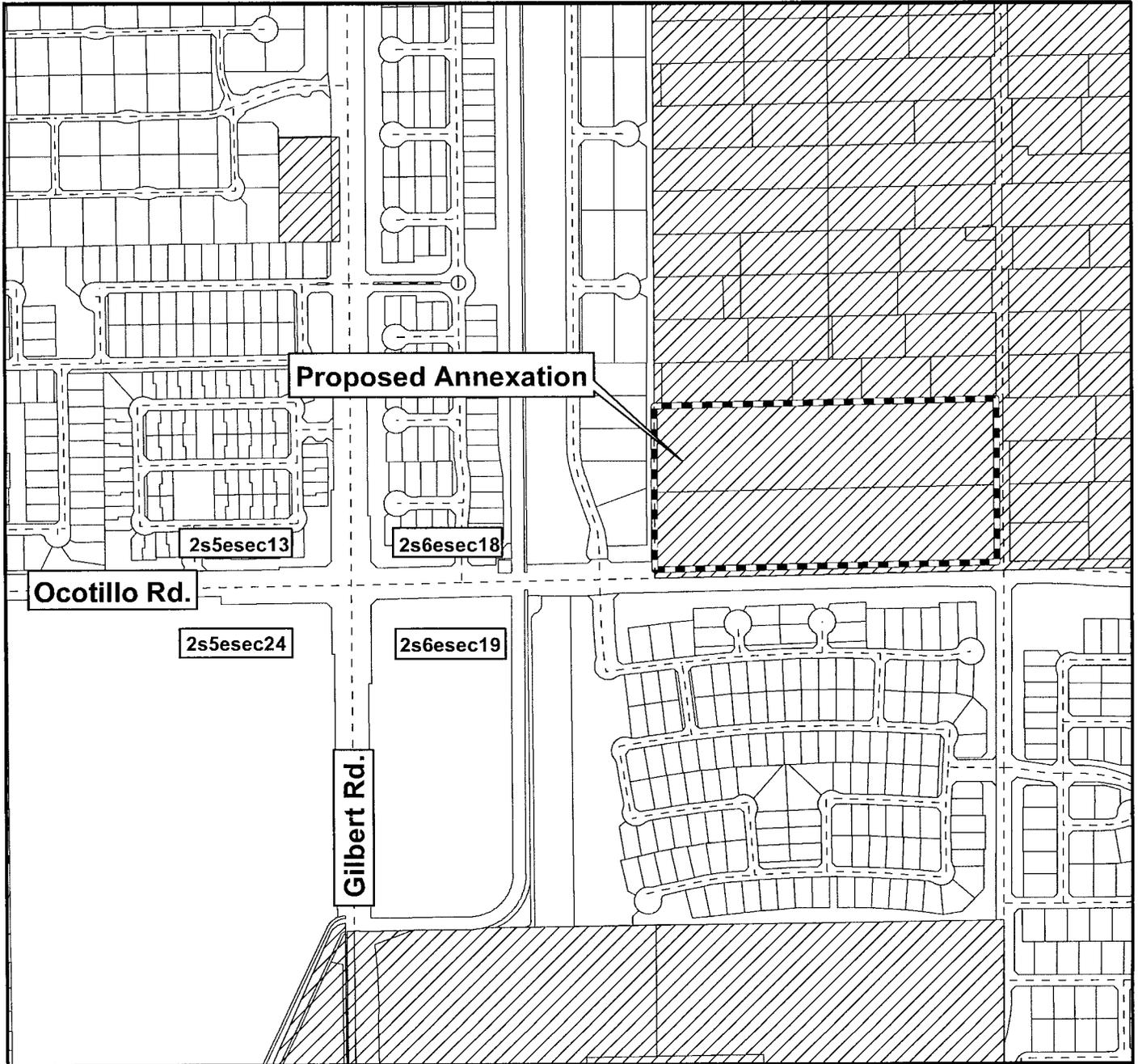
Planning Staff recommends City Council approve the requested annexation.

PROPOSED MOTION

Move City Council introduce and tentatively adopt Ordinance No. 4663, approving ANNEXATION- NORTHEAST CORNER OF 138TH STREET AND OCOTILLO ROAD, as recommended by Planning Staff.

Attachments

1. Annexation Map
2. Ordinance No. 4663



Annexation Map

-  **Proposed Annexation**
Northeast Corner of 138th Street and Ocotillo Road
-  **Incorporated Area**
-  **Unincorporated Area**

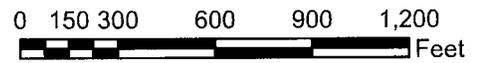


Exhibit A

ORDINANCE NO. 4663

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, (NORTHEAST CORNER OF 138TH STREET AND OCOTILLO ROAD) 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 September 1, 2015 with the County Recorder, that a Public Hearing was held on September 24, 2015 after proper notice was given, that the thirty day waiting period ended on October 1, 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. 4663 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

sm

PUBLISHED:

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

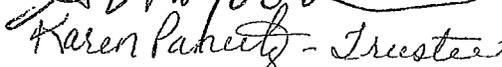
Karen R. Panietz – Trustee
21641 S. 138th St.
Chandler, AZ 85286-9383
602-881-2595

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

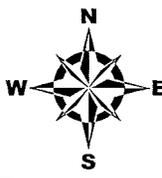
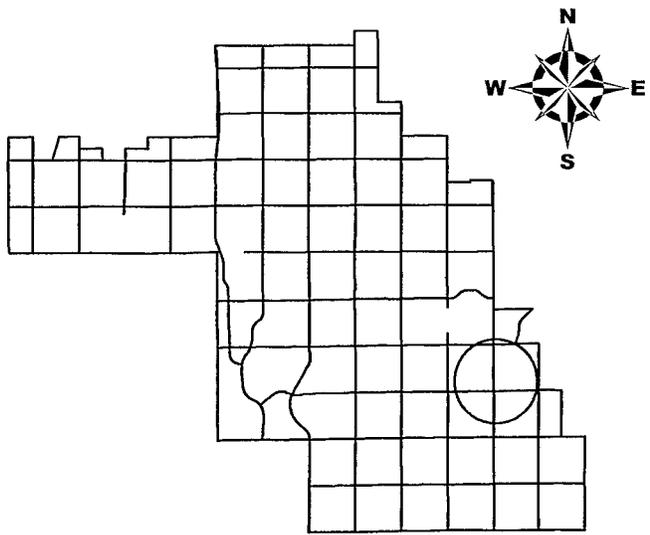
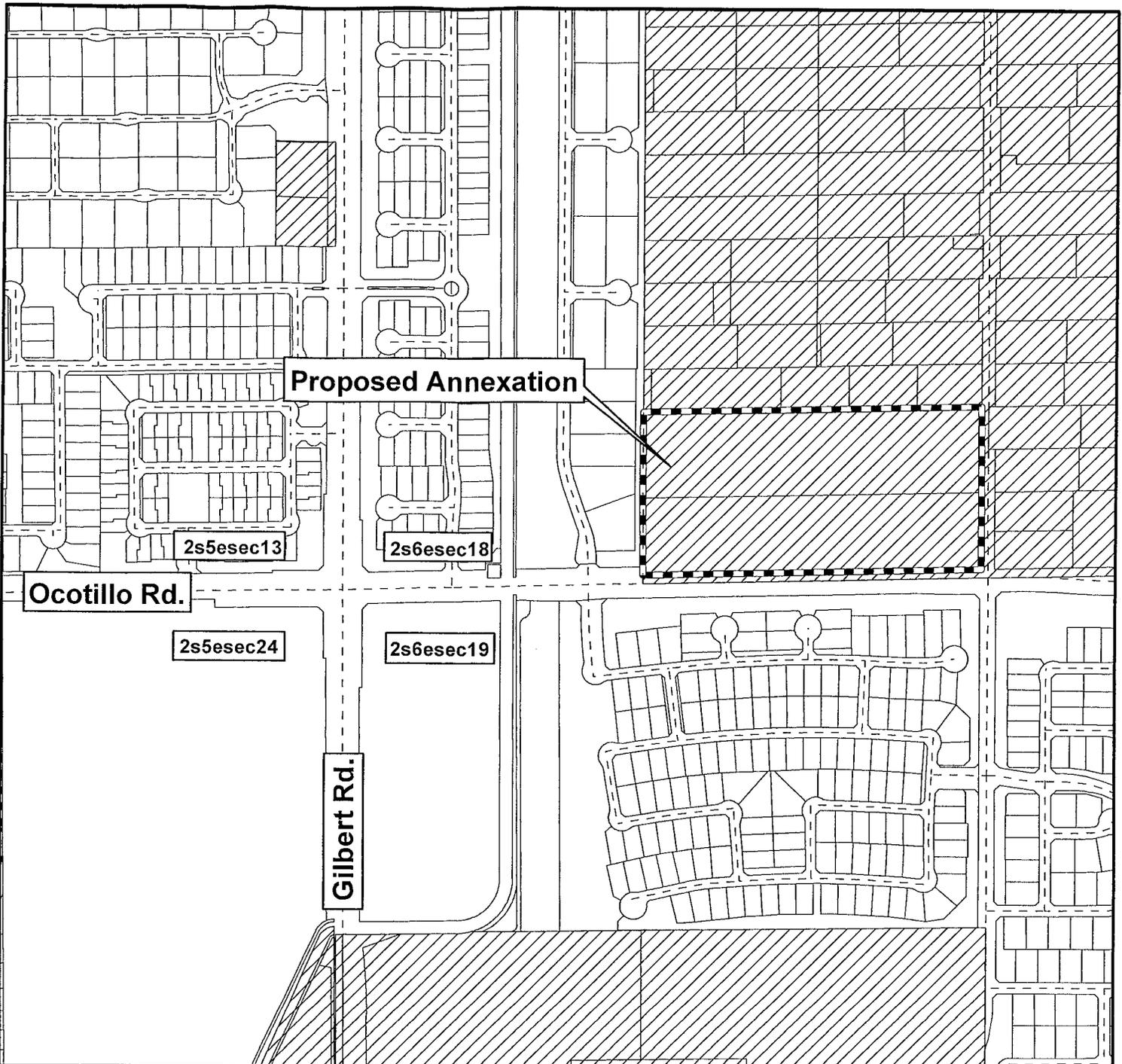
Thank you:

 - TRUSTEE
 - Trustee

Scott W. Morrison – Trustee

Karen Panietz – Trustee

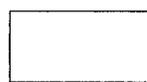
July 28, 2015



Annexation Map



Proposed Annexation
Northeast Corner of 138th Street
and Ocotillo Road



Incorporated Area



Unincorporated Area

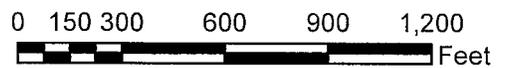


Exhibit A