

#4
NOV 07 2016



Chandler · Arizona
Where Values Make The Difference



MEMORANDUM

Planning Division – CC Memo No. 16-119

DATE: NOVEMBER 7, 2016

TO: MAYOR AND COUNCIL

THRU MARSHA REED, CITY MANAGER *MR*
JEFF KURTZ, PLANNING ADMINISTRATOR *JK*
KEVIN MAYO, PLANNING MANAGER *KM*

FROM: ERIK SWANSON, SENIOR CITY PLANNER *ES*

SUBJECT: ANNEXATION – EAST OF THE SOUTHEAST CORNER OF CHANDLER HEIGHTS ROAD AND 130TH STREET
Introduction and Tentative Adoption of Ordinance No. 4724

Request: Annexation of an approximate 0.85 acre site

Location: East of the southeast corner of Chandler Heights Road and 130th Street

Applicant: Brennan Ray; Burch & Cracchiolo

RECOMMEDATION

Upon finding the request to be consistent with Arizona Revised Statutes, Planning Staff recommends approval.

BACKGROUND

The property is located east of the southeast corner of Chandler Heights Road and 130th Street. The subject site is zoned Rural (RU-43) within the county. An unfinished home is on the site. Upon annexation of the site, the property owners will construct a garage to meet City of Chandler requirements and will receive a final inspection from the City. The home was constructed in the County, however, prior to receiving final approval a sliver of land that was part of the site was sold off to the property owner to the east. The sale of the parcel rendered the site as non-conforming within the County and permit approval was suspended. Through the development of the residential property to the east, the property owners dedicated the sliver of property back to the site resulting in the property meeting conformance. The current property owners would like the site to be within the jurisdiction of the City and therefore request annexation. The site is bordered by Chandler Heights Road to the north, a single-family home

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within the jurisdiction of the County to the west, and the recently Council approved Maracay Homes single-family residential subdivision to the south and east.

The Chandler Land Use Element of the General Plan designates the site as Residential. The Southeast Chandler Area Plan further designates the land use category as Rural/Agrarian, allowing for single-family residential. A rezoning and preliminary development plan application has been submitted, which will be forthcoming following approval of the requested annexation.

UTILITY SERVICES

Existing water and sewer lines are available in Chandler Heights Road.

STAFF COMMENTS

A public hearing for this annexation was held at the October 13, 2016, City Council meeting. The annexation request is partnered with a subsequent request for Rezoning and Preliminary Development Plan approval. Planning Staff circulated this request among City Departments and received no negative comments relative to the property annexing.

RECOMMENDED ACTION

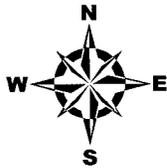
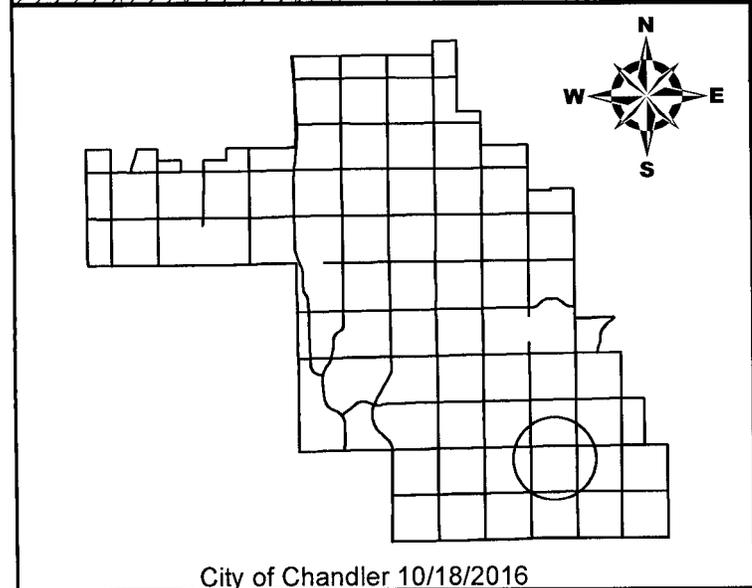
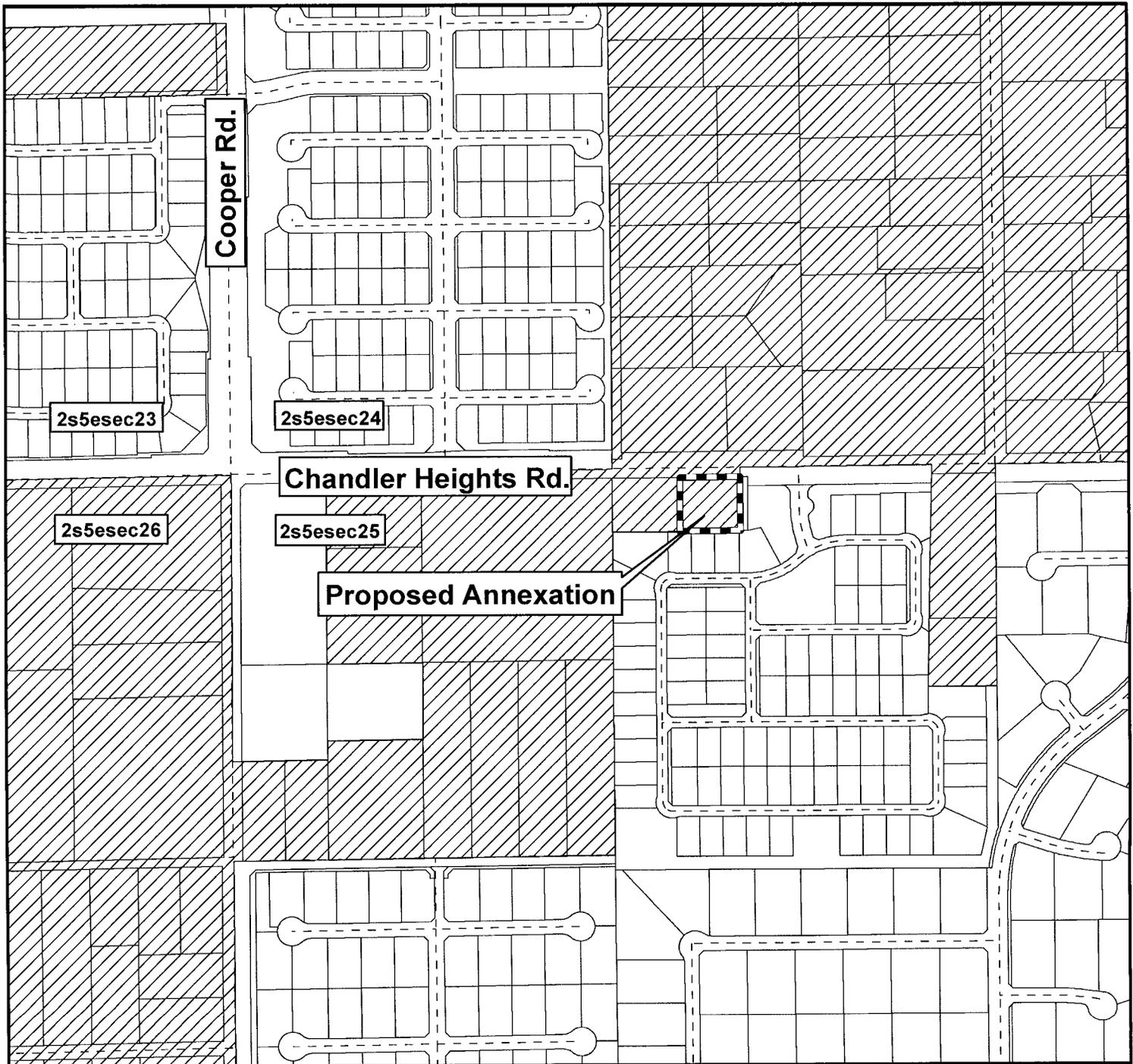
Planning Staff recommends City Council approve the requested annexation.

PROPOSED MOTION

Move City Council introduce and tentatively adopt Ordinance No. 4724, approving ANNEXATION – EAST OF THE SOUTHEAST CORNER OF CHANDLER HEIGHTS ROAD AND 130TH STREET, as recommended by Planning Staff.

Attachments

1. Annexation Map
2. Ordinance No. 4724



Annexation Map

Ordinance No. 4724

Proposed Annexation

East of the Southeast Corner of Chandler Heights Road and 130th Street

Incorporated Area

Unincorporated Area

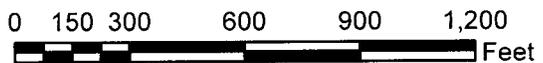
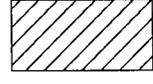
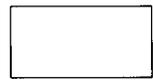


Exhibit A

ORDINANCE NO. 4724

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, (EAST OF THE SOUTHEAST CORNER OF CHANDLER HEIGHTS ROAD AND 130TH STREET) 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 16, 2016, with the County Recorder, that a Public Hearing was held on October 13, 2016, after proper notice was given, that the thirty day waiting period ended on October 16, 2016 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. The existing zoning of the territory annexed is Rural-43 (R-43) in Maricopa County, and that the territory upon annexation is hereby zoned Agricultural (AG-1) within the City of Chandler, which provides for densities and uses no greater than those permitted within the R-43 District of Maricopa County.

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 _____, 2016.

ATTEST:

CITY CLERK

MAYOR

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona this ____ day
of _____, 2016.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 4724 was duly passed and
adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the
____ day of _____, 2016, and that a quorum was present thereat.

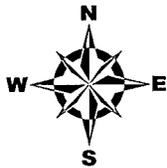
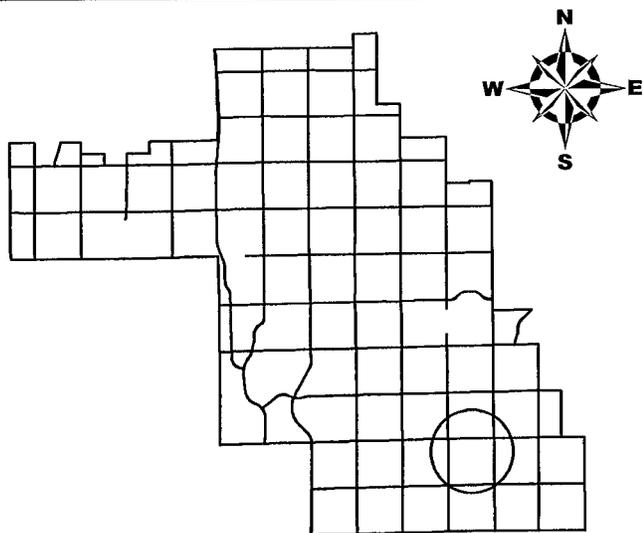
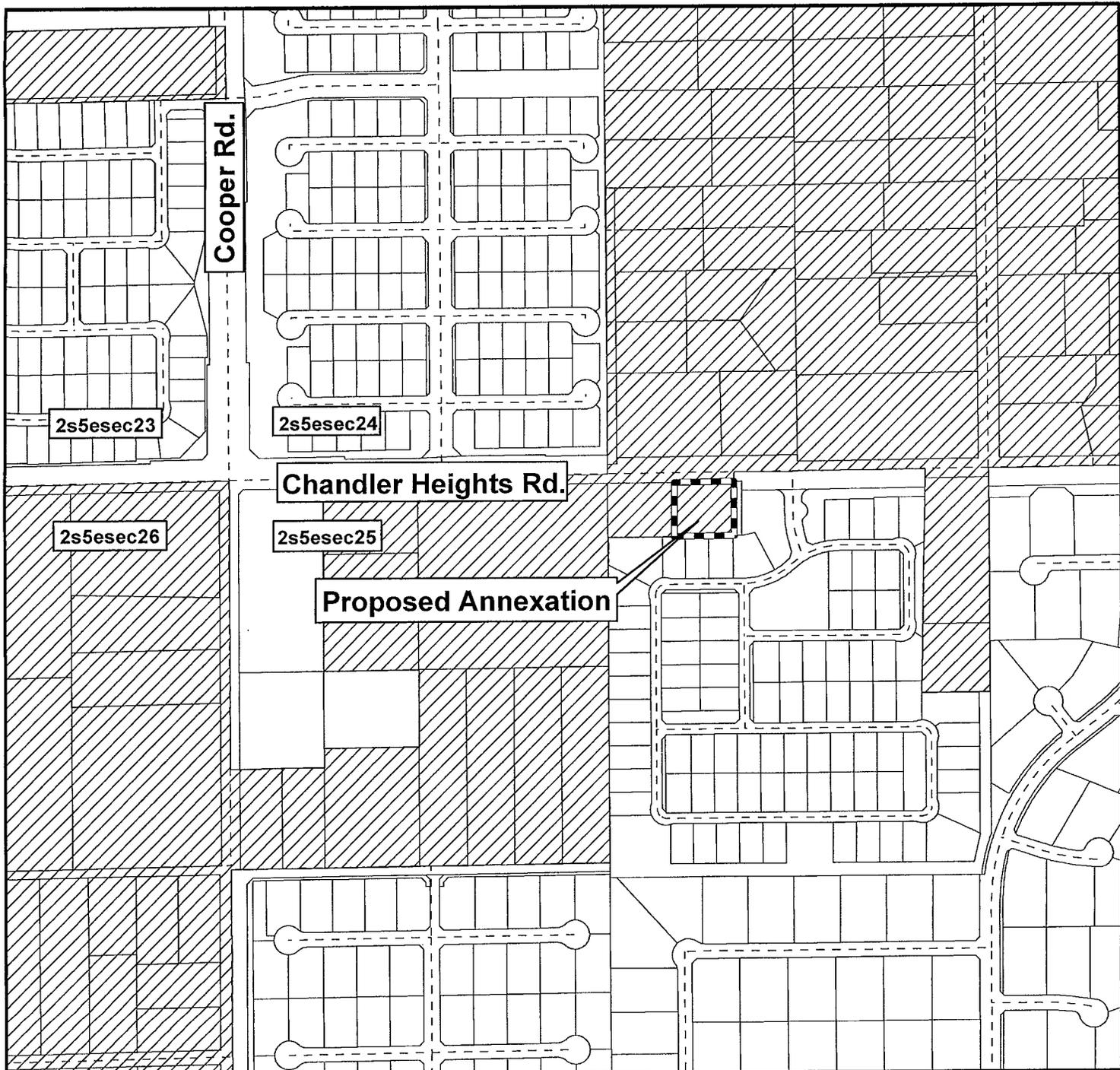
CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

GAB

PUBLISHED:



Annexation Map

Ordinance No. 4724

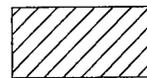


Proposed Annexation

East of the Southeast Corner of
Chandler Heights Road and 130th Street



Incorporated Area



Unincorporated Area

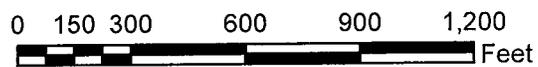


Exhibit A

Legal Description

The East Half of the North 220 feet of the West 440 feet of the Northeast quarter 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;

Excepting the West 12.93 feet and North 33 feet thereof.