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**MEMORANDUM**                      **Planning and Development - Staff Memo No. CC 07-041**

**DATE:**            FEBRUARY 21, 2007

**TO:**                MAYOR AND CITY COUNCIL

**THRU:**            W. MARK PENTZ, CITY MANAGER  
                         DOUG BALLARD, PLANNING AND DEVELOPMENT DIRECTOR  
                         JEFF KURTZ, ASSISTANT PLANNING AND DEVELOPMENT DIRECTOR  
                         BOB WEWORSKI, PRINCIPAL PLANNER

**FROM:**            RON MARTIN, INTERIM PLANNER

**SUBJECT:**        ANNEXATION – SOUTHWEST CORNER OF APPLEBY ROAD AND THE CONSOLIDATED CANAL

Introduction and Tentative Adoption of Ordinance No. 3894

**Request:**            Annexation of approximately 35 acres

**Location:**            Southwest Corner of Appleby Road and the Consolidated Canal  
(North of the northwest corner of Ocotillo and McQueen Roads)

**Applicant:**            Farid Moradi, Manager  
                                 PBI Arizona L.P.

**SUMMARY / RECOMMENDATION**

The City Council held a public hearing on this requested annexation on January 25, 2007. Staff has received the original signed petition from the property owner. The request has been processed in compliance with State Statutes governing annexations. Staff recommends approval.

**BACKGROUND**

The subject 35 acres, located at the southwest corner of Appleby Road and the Consolidated Canal is zoned R-43 Rural Residential within the County. The Chandler Airpark Area Plan, a land use element of the Chandler General Plan designates the area for "Light Industrial". The applicant will be seeking rezoning consistent with that designation.

**EXISTING CONDITIONS**

The property is vacant and undeveloped. Existing and/or approved land uses surrounding the site include one rural residence and a large industrial user to the north, City of Chandler Landfill to the east, a mini-storage and business park to the south and additional vacant property to the west. The property is within the 55 LDN aircraft noise contour but is not within the 100-year flood plain.

**EXISTING UTILITIES**

Available city utilities include a 42-inch sewer and a 24-inch water main in the McQueen Road right-of-way along with an 8-inch sewer main in the Appleby Road right-of-way east of the Consolidated Canal and a 12-inch water main in the Appleby Road right-of-way east of the McQueen Road intersection.

**PROPOSED MOTION**

Move to Introduce and Tentatively Adopt Ordinance No. 3894 annexing approximately 35 acres of land described in said Ordinance, also known as the Southwest Corner of Appleby Road and the Consolidated Canal.

**Attachment**

1. Ordinance No. 3894
2. Location Map

ORDINANCE NO. 3894

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 APPLEBY ROAD AND THE CONSOLIDATED CANAL) 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 27, 2006 with the County Recorder, that a Public Hearing was held on January 25<sup>th</sup>, 2007 after proper notice was given, that the thirty day waiting period ended on January 27<sup>th</sup>, 2007 and that the petition was circulated thereafter and signed on February 2<sup>nd</sup>, 2007 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;

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:

Legal Description

That part of the Southeast Quarter of Section 15, Township 2 South, Range 5 East of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

Commencing at the 5/8" bar marking the South Quarter Corner of said Section 15, from which the Brass Cap in handhole marking the Southeast Corner of said Section 15 bears North 89°37'17" East, a distance of 2,613.92 feet;

Thence North 00°00'00" East, along the West line of the Southeast Quarter of said Section 15, a distance of 2,645.73 feet to the 1/2" bar marking the Center of said Section 15;

Thence North 89°36'22" East, along the North line of the Southeast Quarter of said Section 15, a distance of 755.00 feet to a point on a line which is parallel with and 755.00 feet Easterly, as measured at right angles, from the West line of the Southeast Quarter of said Section 15, said point being the True Point of Beginning;

Thence continuing North 89°36'22" East, along said North line, a distance of 1,465.90 feet to the Westerly right-of-way line of the Consolidated Canal as recorded in Book 215 of Maps, Page 8, Maricopa County Records;

Thence along said Westerly right-of-way line of the Consolidated Canal the following courses:

Thence South 38°13'50" West, a distance of 390.69 feet;

Thence South 41°40'14" West, a distance of 211.87 feet;

Thence South 37°49'08" West, a distance of 96.67 feet;

Thence South 34°28'52" West, a distance of 223.85 feet;

Thence South 30°56'11" West, a distance of 155.16 feet;

Thence South 19°10'05" West, a distance of 54.96 feet to the centerline of the Heady Lateral;

Thence South 89°10'28" West, departing said Westerly right-of-way line along said centerline, a distance of 1,554.56 feet to a point on the West line of the Southeast Quarter of said Section 15;

Thence North 00°00'00" East, along said West line, a distance of 718.18 feet to a point on a line which is parallel with and 200.00 feet Southerly, as measured at right angles, from the North line of the Southeast Quarter of said Section 15;

Thence North 89°36'22" East, departing said West line along said parallel line, a distance of 755.00 feet to a point on a line which is parallel with and 755.00 feet Easterly, as measured at right angles, from the West line of the Southeast Quarter of said Section 15;

Thence North 00°00'00" East, along last said parallel line, a distance of 200.00 feet to the True Point of Beginning.

Containing 35.501 Acres, more or less.

SECTION 2. 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 3. 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 4. The Planning and 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.

INTRODUCED AND TENTATIVELY APPROVED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

ATTEST:

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

PASSED AND ADOPTED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_,  
2007.

ATTEST:

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

CERTIFICATION

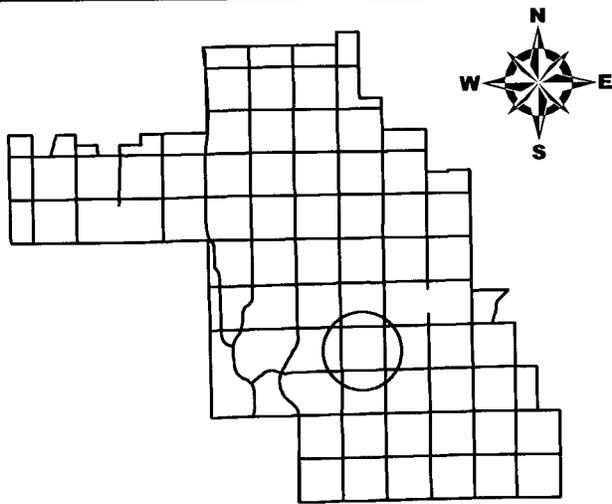
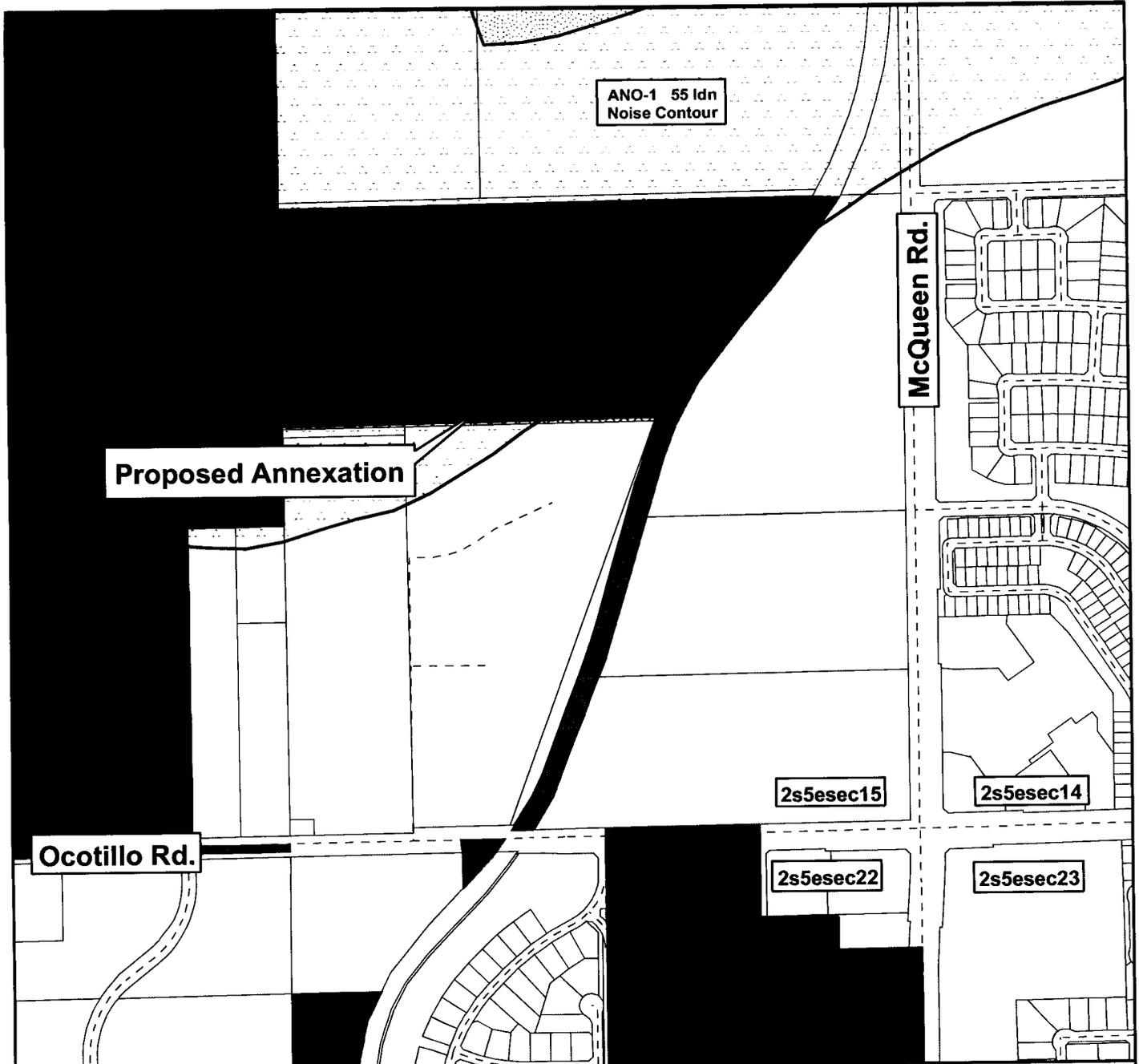
I HEREBY CERTIFY that the above and foregoing Ordinance No. 3894 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2007, and that a quorum was present thereat.

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY *GAB*

\_\_\_\_\_  
CITY CLERK

PUBLISHED:



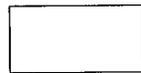
# Annexation Map

**Ordinance No. 3894**



**Proposed Annexation**

Southwest Corner of Appleby Road  
and the Consolidated Canal



**Incorporated Area**



**Unincorporated Area**



**Exhibit A**