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MEMORANDUM **Planning and Development - Staff Memo No. CC 07-051**

DATE: MARCH 1, 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 – EAST OF THE SOUTHEAST CORNER OF MCQUEEN AND PECOS ROADS
Introduction and Tentative Adoption of Ordinance No. 3900

Request: Annexation of approximately 5.4 acres

Location: East of the Southeast Corner of McQueen and Pecos Roads

Applicants: David M. and Magda F. Kassel

SUMMARY / RECOMMENDATION

The City Council held a public hearing on this requested annexation on December 14, 2006. 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 5.4 acres, located approximately one-quarter mile east of the southeast corner of McQueen and Pecos Roads, is zoned R-43 Rural Residential within the County. The Chandler Airpark Area Plan, an element of the Chandler General Plan, designates the area for "Public / Semi-Public Facilities." The applicant will be seeking rezoning to Planned Area Development (PAD) for townhouse or condominium residential.

EXISTING CONDITIONS

The property is vacant and is bordered on the north and west by existing single-family residential and on the south and east by a City of Chandler water treatment plant. The property is not under an aircraft noise contour or within a designated flood plain.

EXISTING UTILITIES

Available city utilities include two 12-inch diameter water mains and one 27-inch diameter sewer main within the Pecos Road right-of-way.

PROPOSED MOTION

Move to Introduce and Tentatively Adopt Ordinance No. 3900 annexing approximately 5.4 acres of land described in said Ordinance, also known as East of the Southeast Corner of McQueen and Pecos Roads

Attachment

1. Ordinance No. 3900
2. Location Map

ORDINANCE NO. 3900

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 MCQUEEN AND PECOS 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 November 16, 2006 with the County Recorder, that a Public Hearing was held on December 14, 2006 after proper notice was given, that the thirty day waiting period ended on December 15, 2006 and that the petition was circulated thereafter and signed on December 26, 2006 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

Parcel 1
The North 470.00 feet of the West 470.00 feet of Lot 3, Section 2, Township 2 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, More particularly described as follows;

BEGINNING at the Northwest corner of said Lot 3;
Thence along the North line of said Lot 3 North 89 degrees 31 minutes 20 seconds East 470 .00 feet to a point on the East line of the West 470.00 feet of said Lot 3;

Thence along the East line of the West 470.00 feet of said Lot 3 South 00 degrees 25 minutes 14 seconds East 470.00 feet to the South line of the North 470.00 feet of said Lot 3;

Thence along the South line of the North 470.00 feet of said Lot 3 South 89 degrees 31 minutes 20 seconds West 470.00 feet to the West line of said Lot 3;

Thence along the West line of said Lot 3 North 00 degrees 25 minutes 14 seconds West 470.00 feet to the POINT OF BEGINNING.

Parcel 2
The South 33.00 feet of the West 470.00 feet of the Southeast quarter of the Southwest quarter of Section 35, Township 1 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

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.

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

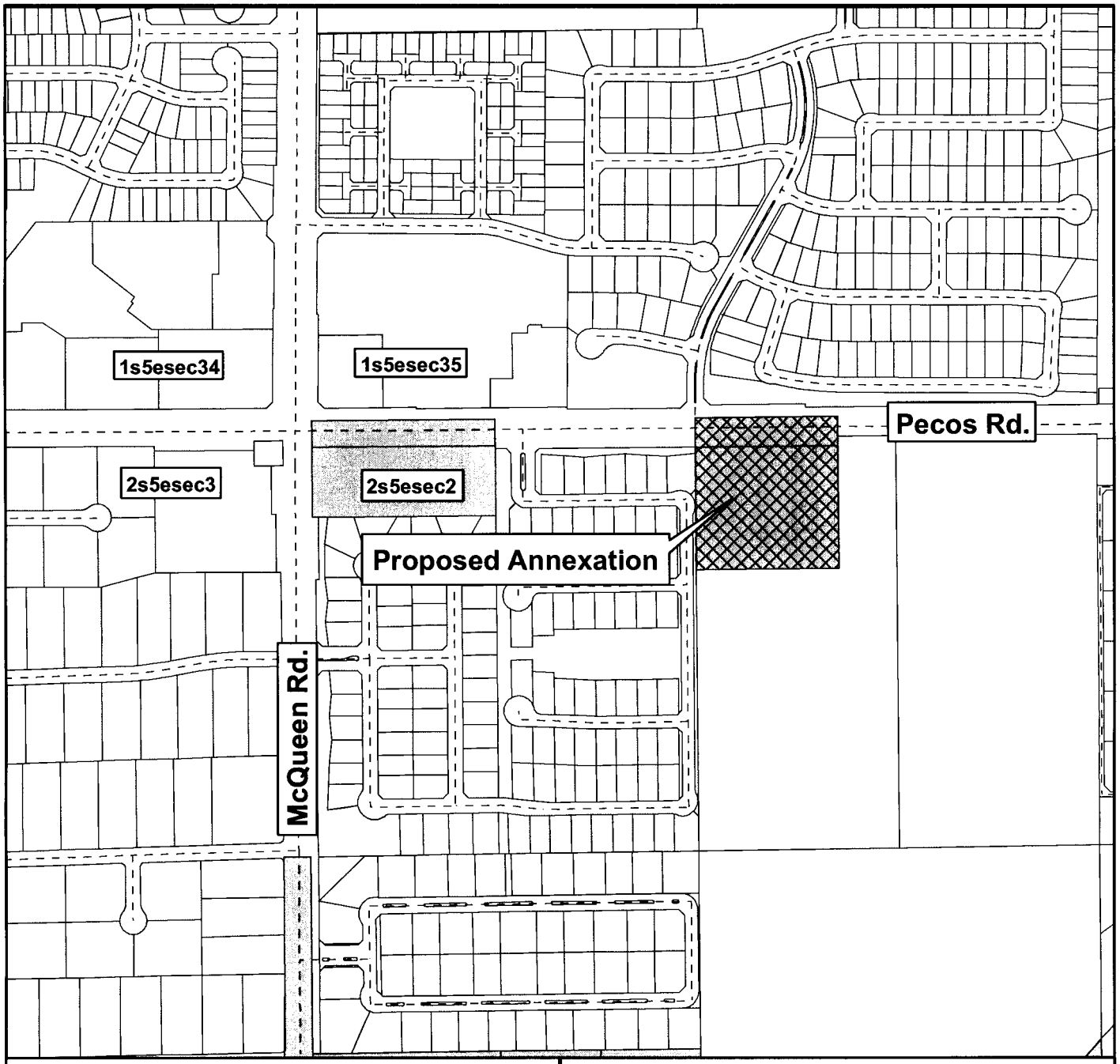
CERTIFICATION

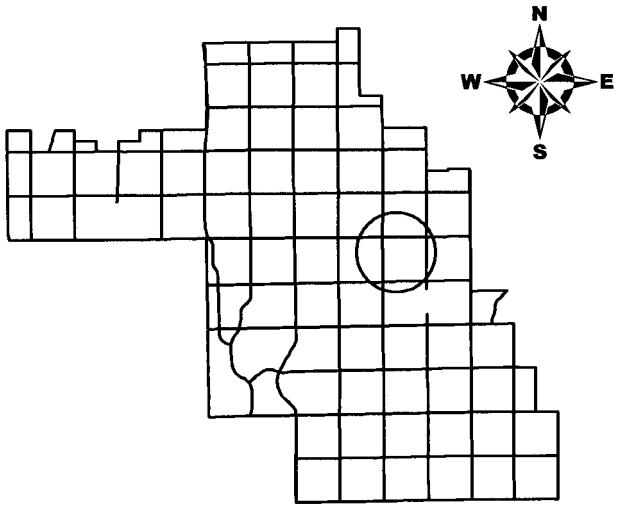
I HEREBY CERTIFY that the above and foregoing Ordinance No.3900 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the _____ day of _____, 2007, and that a quorum was present thereat.

APPROVED AS TO FORM:

_____ _____
CITY ATTORNEY CITY CLERK

PUBLISHED:





City of Chandler 6/30/2006

Annexation Map

Proposed Annexation
East of the Southeast Corner of
McQueen Road and Pecos Road

Incorporated Area

Unincorporated Area

0 150 300 600 900 1,200
Feet

Exhibit A