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MEMORANDUM **Planning and Development - Staff Memo No. CC 07-129**

DATE: MAY 29, 2007

TO: MAYOR AND CITY COUNCIL

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

FROM: RON MARTIN, INTERIM PLANNER

SUBJECT: ANNEXATION – NORTHWEST CORNER OF LINDSAY AND CHANDLER HEIGHTS ROADS
 Introduction and Tentative Adoption of Ordinance No. 3933

Request: Annexation of approximately 5.8 acres

Location: Northwest Corner of Lindsay and Chandler Heights Roads

Applicant: Lindsay Heights, LLC

SUMMARY / RECOMMENDATION

The City Council held a public hearing on this requested annexation on January 25, 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 5.8 acres, located at the northwest corner of Lindsay and Chandler Heights Roads is zoned R-43 Rural Residential within the County. The Southeast Chandler Area Plan, a land use element of the Chandler General Plan designates the area for "Traditional Suburban Character" whereby development should convey a rural/agrarian theme. The applicant will be seeking rezoning to allow for the development of retail commercial businesses at this location.

EXISTING CONDITIONS

The property is vacant and undeveloped. Existing and pending approved land uses adjacent to the site or within surrounding quadrants of the intersection include: single family residential and retail commercial within the southwest quadrant, single family residential within the southeast quadrant, and vacant undeveloped property zoned AG-1 Agricultural within the northeast quadrant. Properties contiguous to this site on the north and west are currently in zoning review for single family residential. The property is not within an aircraft noise contour or within a flood plain.

UTILITY SERVICES

Water and waste water main lines being planned and engineered with the development of the numerous new single-family communities being constructed along Chandler Heights Road, at and beyond its' intersection with Lindsay Road, will provide needed water and sewer services to this site.

PROPOSED MOTION

Move to Introduce and Tentatively Adopt Ordinance No. 3933 annexing approximately 5.8 acres of land described in said Ordinance, also known as Northwest Corner of Lindsay and Chandler Heights Roads.

FUTURE ACTIONS

Staff, concurrent with this action, is staging all necessary steps and actions required to complete and adopt a City initiated AG-1 Agricultural District zoning designation over the property. Introduction and Tentative Adoption of the required ordinance shall occur at the August 9, 2007 City Council Meeting. Final adoption of the ordinance will occur at the August 23, 2007 City Council Meeting.

Attachment

1. Ordinance 3933
2. Location Map

ORDINANCE NO. 3933

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 LINDSAY AND CHANDLER HEIGHTS 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 27, 2006 with the County Recorder, that a Public Hearing was held on January 25, 2007, after proper notice was given, that the thirty day waiting period ended on January 27, 2007, and that the petition was circulated thereafter and signed on May 12, 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 portion of the Southeast quarter of the Southeast quarter of Section 19, Township 2 South, Range 6 East of the Gila and Salt River Meridian, Maricopa County, Arizona, described as follows:

BEGINNING at a found 1/2" rebar accepted as the monument for the Southeast corner of said section from which a found brass cap in a hand hole accepted as the monument for the South quarter corner of said section bears North 89 degrees 51 minutes 40 seconds West a distance of 2841.30 feet;

Thence along the south line of said Southeast quarter of the Southeast quarter, North 89 degrees 51 minutes 40 seconds West a distance of 509.16 feet;

Thence departing said south line, North 00 degrees 37 minutes 53 seconds East a distance of 496.43 feet to the north line of the South half of the North half of the South half of said Southeast quarter of the Southeast quarter of Section 19;

Thence along said north line, South 89 degrees 51 minutes 20 seconds East a distance of 511.12 feet to the east line of said Southeast quarter of the Southeast quarter of Section 19;

Thence along said east line, South 00 degrees 51 minutes 29 seconds West a distance of 496.40 feet to the **POINT OF BEGINNING**.

The above-described parcel contains a computed area of 253,228 Sq. Ft. (5.81 acres) more or less and is subject to any easements, restrictions, or rights of way of record or otherwise.

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:

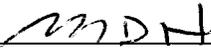
CITY CLERK

MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No.3933 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.

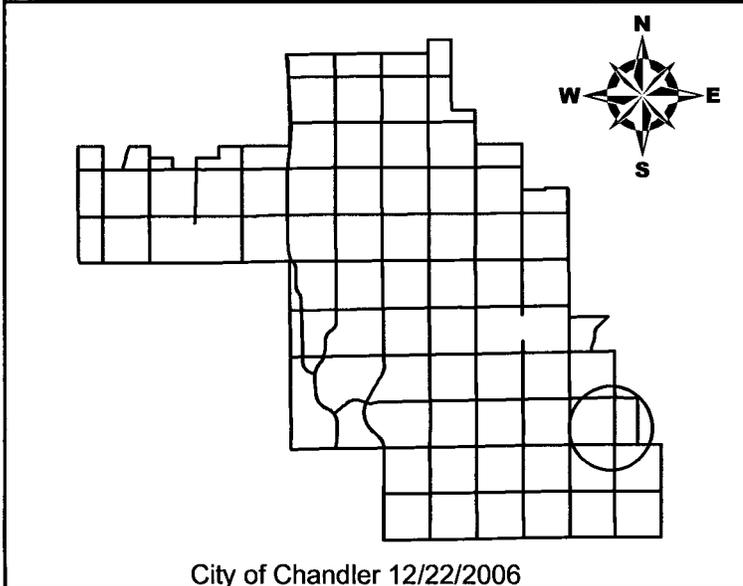
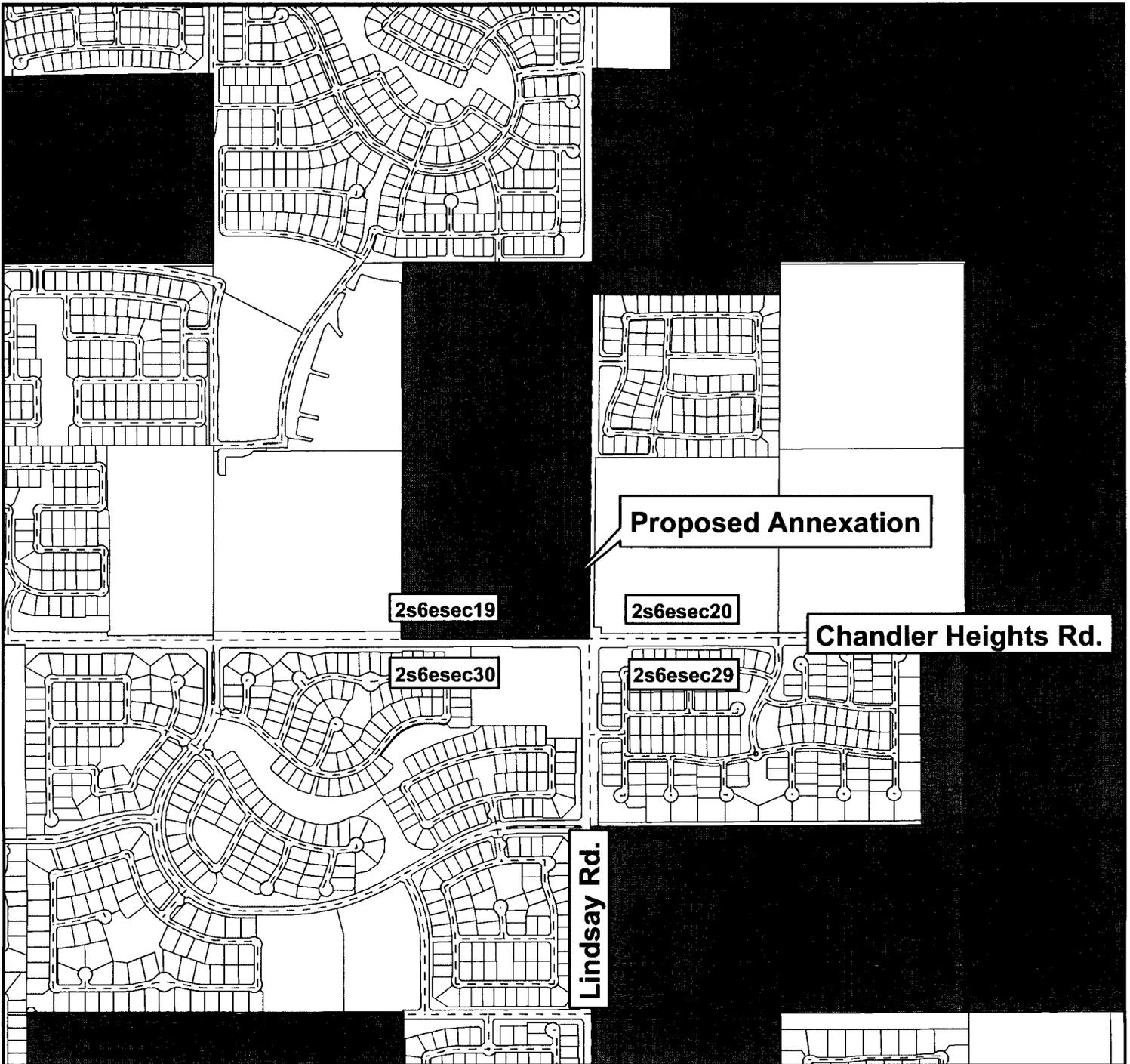
APPROVED AS TO FORM:



CITY ATTORNEY

CITY CLERK

PUBLISHED:



Annexation Map

	Proposed Annexation Northwest Corner of Lindsay Road and Chandler Heights Road
	Incorporated Area
	Unincorporated Area

0 312.5 625 1,250 1,875 2,500 Feet

Exhibit A