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DEC 10 2007



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MEMORANDUM Planning and Development - Staff Memo No. CC 07-284

DATE: NOVEMBER 19, 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, PLANNING MANAGER 

FROM: RON MARTIN, INTERIM PLANNER 

SUBJECT: ANNEXATION – EAST OF THE SOUTHEAST CORNER OF RIGGS ROAD AND ARIZONA AVENUE
(aka: Southwest Corner of Riggs Road and 116th Street)
Introduction and Tentative Adoption of Ordinance No. 3964

Request: Annexation of approximately 34.6 acres

Location: East of the Southeast Corner of Riggs Road and Arizona Avenue

Applicants: GE Industrial Plastics - SABIC Innovative Plastics US LLC

SUMMARY / RECOMMENDATION

The City Council held a public hearing on this requested annexation on June 28, 2007. Staff has received the original signed petition and waiver of rights and remedies agreement from the property owner. The request has been processed in compliance with State Statutes governing annexations. Staff recommends approval.

BACKGROUND

The subject property, under the ownership of SABIC Innovative Plastics, is located at the south side of Riggs Road between the Consolidated Canal and the Union Pacific Railroad. The property is zoned IND - 3 within the County. The Southeast Chandler Area Plan, a land use element plan of the Chandler General Plan, designates the area as a “Traditional Suburban Character” area. Residential development densities within the range of 2.5 to 3.5 dwelling units

per acre are proposed as a major element within this Character Area. The landowner intends to develop the property for residential purposes.

EXISTING CONDITIONS

While the property is largely vacant, there are limited industrial operation sites within the overall land holdings that will be removed prior to the development of the property. Existing and/or planned land uses adjacent to the site include: North – City Golf Course, East and South – Single Family Residential, West – Industrial. The property is contiguous to the City of Chandler along its northern border with Riggs Road.

UTILITY SERVICES

Municipal water and sewer service mains are located within the Riggs Road R-O-W along the northern border of the property.

PROPOSED MOTION

Move to Introduce and Tentatively Adopt Ordinance No. 3964 annexing approximately 34.6 acres of land described in said Ordinance, also known as East of the Southeast Corner of Riggs Road and Arizona Avenue.

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. The Introduction and Tentative Adoption of the required ordinance for zoning shall occur at the December 10, 2007 City Council Meeting subsequent to the Introduction and Tentative Adoption of the ordinance for annexation.

Attachment

1. Ordinance 3964
2. Location Map

ORDINANCE NO. 3964

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 RIGGS ROAD AND ARIZONA AVENUE) 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 June 5, 2007 with the County Recorder, that a Public Hearing was held on June 28, 2007, after proper notice was given, that the thirty day waiting period ended on July 5, 2007, and that the petition was circulated thereafter and signed on October 25, 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

Parcel 1

That portion of the Northwest quarter of Section 34, Township 2 South, Range 5 East of the Gila and Salt River Meridian, Maricopa County, Arizona, described as follows:

COMMENCING at a aluminum cap, found and accepted as the North quarter corner of said Section 34, from which a brass cap in hand hole, found and accepted as the Northwest corner of said section, bears South 89 degrees 55 minutes 10 seconds West a distance of 2,647.42 feet;

Thence along the north line of said Northwest quarter, South 89 degrees 55 minutes 10 seconds West a distance of 100.01 feet to a point on the northerly projection of the west line of Tract M of "Santan Vista Unit 3, Phase 4 and 5" a subdivision plat recorded in Book 690 of Maps, page 16, Maricopa County Records;

Thence departing said north line and along said west line, South 00 degrees 45 minutes 40 seconds West a distance of 65.01 feet to the southerly right-of-way of Riggs Road, being the **POINT OF BEGINNING**;

Thence continuing along said west line, South 00 degrees 45 minutes 40 seconds West a distance of 504.12 feet to the westerly right-of-way of the Consolidated Canal as shown on the Plat of Survey recorded in Book 181 of Maps, page 9, Maricopa County records;

Thence along said westerly right-of-way of the Consolidated Canal the following eight (8) courses;

(1) South 33 degrees 17 minutes 15 seconds West a distance of 244.76 feet to the beginning of a tangent curve concave northwesterly and having a radius of 1,227.62 feet;

(2) Southwesterly along said curve through a central angle of 11 degrees 26 minutes 15 seconds an arc length of 245.06 feet to the beginning of a tangent reverse curve concave southeasterly and having a radius of 1,172.95 feet;

(3) Southwesterly along said curve through a central angle of 21 degrees 58 minutes 20 seconds an arc length of 449.81 feet;

(4) South 22 degrees 45 minutes 10 seconds West a distance of 399.47 feet to the beginning of a tangent curve concave southeasterly and having a radius of 748.63 feet;

- (5) Southwesterly along said curve through a central angle of 15 degrees 07 minutes 40 seconds an arc length of 197.66 feet;
- (6) South 07 degrees 37 minutes 30 seconds West a distance of 143.16 feet to the beginning of a tangent curve concave northwesterly and having a radius of 460.49 feet;
- (7) Southwesterly along said curve through a central angle of 61 degrees 29 minutes 25 seconds an arc length of 494.20 feet to the beginning of a tangent reverse curve concave southeasterly and having a radius of 1,267.49 feet;
- (8) Southwesterly along said curve through a central angle of 03 degrees 02 minutes 38 seconds an arc length of 67.34 feet to a point on the easterly right-of-way of the Southern Pacific Railroad, said point also marking the beginning of a non-tangent curve concave easterly, the center of which bears North 89 degrees 40 minutes 13 seconds East a distance of 4,247.21 feet;

Thence along said easterly right-of-way the following five (5) courses;

- (1) Northerly along said curve through a central angle of 00 degrees 29 minutes 16 seconds an arc length of 36.16 feet to the beginning of a tangent compound curve concave easterly and having a radius of 5,679.60 feet;
- (2) Northerly along said curve through a central angle of 00 degrees 18 minutes 00 seconds an arc length of 29.74 feet to the beginning of a tangent compound curve concave easterly and having a radius of 8,544.38 feet;
- (3) Northerly along said curve through a central angle of 00 degrees 12 minutes 00 seconds an arc length of 29.83 feet to the beginning of a tangent compound curve concave easterly and having a radius of 17,138.74 feet;
- (4) Northerly along said curve through a central angle of 00 degrees 06 minutes 00 seconds an arc length of 29.91 feet;
- (5) North 00 degrees 45 minutes 30 seconds East a distance of 1,888.87 feet to a point lying 415.00 feet south of said north line of the Northwest quarter;

Thence departing said right-of-way, parallel with and 415.00 feet south of said north line, North 89 degrees 55 minutes 10 seconds East a distance of 240.00 feet;

Thence North 00 degrees 45 minutes 30 seconds East a distance of 349.99 feet to a point on said southerly right-of-way of Riggs Road lying 65.00 feet south of said north line of the Northwest quarter;

Thence along said southerly right-of-way the following five (5) courses;

- (1) North 89 degrees 55 minutes 10 seconds East a distance of 257.93 feet;

- (2) South 00 degrees 04 minutes 50 seconds East a distance of 5.00 feet;
- (3) North 89 degrees 55 minutes 10 seconds East a distance of 60.00 feet;
- (4) North 00 degrees 04 minutes 50 seconds West a distance of 5.00 feet;
- (5) North 89 degrees 55 minutes 10 seconds East a distance of 534.63 feet to the **POINT OF BEGINNING**.

The above-described parcel contains a computed area of 1,497,324 Sq. Ft. (34.3738 acres) more or less and is subject to any easements, restrictions, or rights of way of record or otherwise.

Parcel 2

A parcel of land being a portion of the North half of Section 34, Township 2 South, Range 5 East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

Commencing at the Northwest corner of said Section 34;
Thence North 88 degrees 52 minutes 24 seconds East a distance of 1694.05 along the North line of said Section 34;
Thence South 01 degrees 07 minutes 36 seconds East a distance of 55.00 feet to the Point of Beginning;
Thence North 88 degrees 52 minutes 24 seconds East a distance of 952.49 feet along a line parallel with the North line of said Section 34 to a point on the East line of the Northwest Quarter of said Section 34;
Thence North 89 degrees 18 minutes 34 seconds East a distance of 310.64 feet to a point on the East right-of-way line of the East Branch Consolidated Canal;
Thence South 32 degrees 03 minutes 21 seconds West a distance of 11.89 feet along said East right-of-way to the South right-of-way line of Riggs Road;
Thence South 89 degrees 18 minutes 34 seconds West a distance of 304.28 feet along said right-of-way line to the East line of the Northwest Quarter of said Section 34;
Thence South 88 degrees 52 minutes 24 seconds West a distance of 634.57 along said right-of-way line;
Thence South 01 degrees 07 minutes 36 seconds East a distance of 5.00 feet along said right-of-way line;
Thence South 88 degrees 52 minutes 24 seconds West a distance of 60.00 feet along said right-of-way line;
Thence North 01 degrees 07 minutes 36 seconds West a distance of 5.00 feet along said right-of-way line;
Thence South 88 degrees 52 minutes 24 seconds West a distance of 257.93 feet along said right-of-way line;

Thence North 00 degrees 17 minutes 16 seconds West a distance of 10.00 feet to the Point of Beginning and containing 12,902.20 square feet or 0.30 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.

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

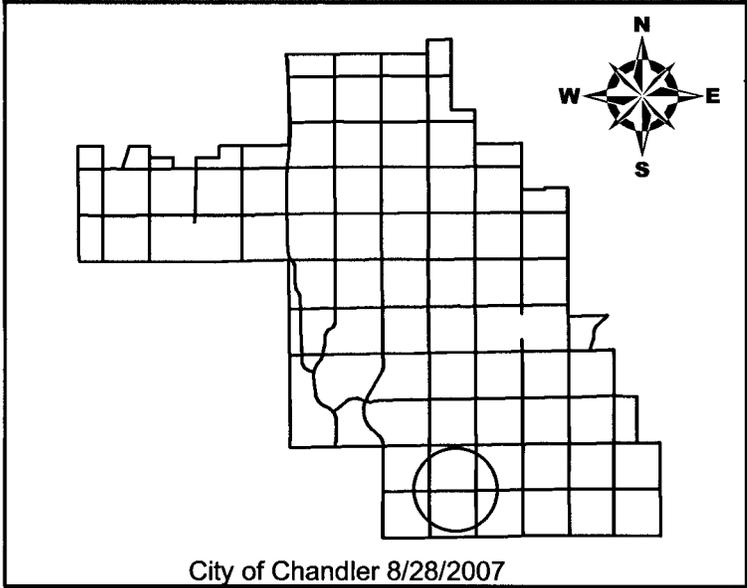
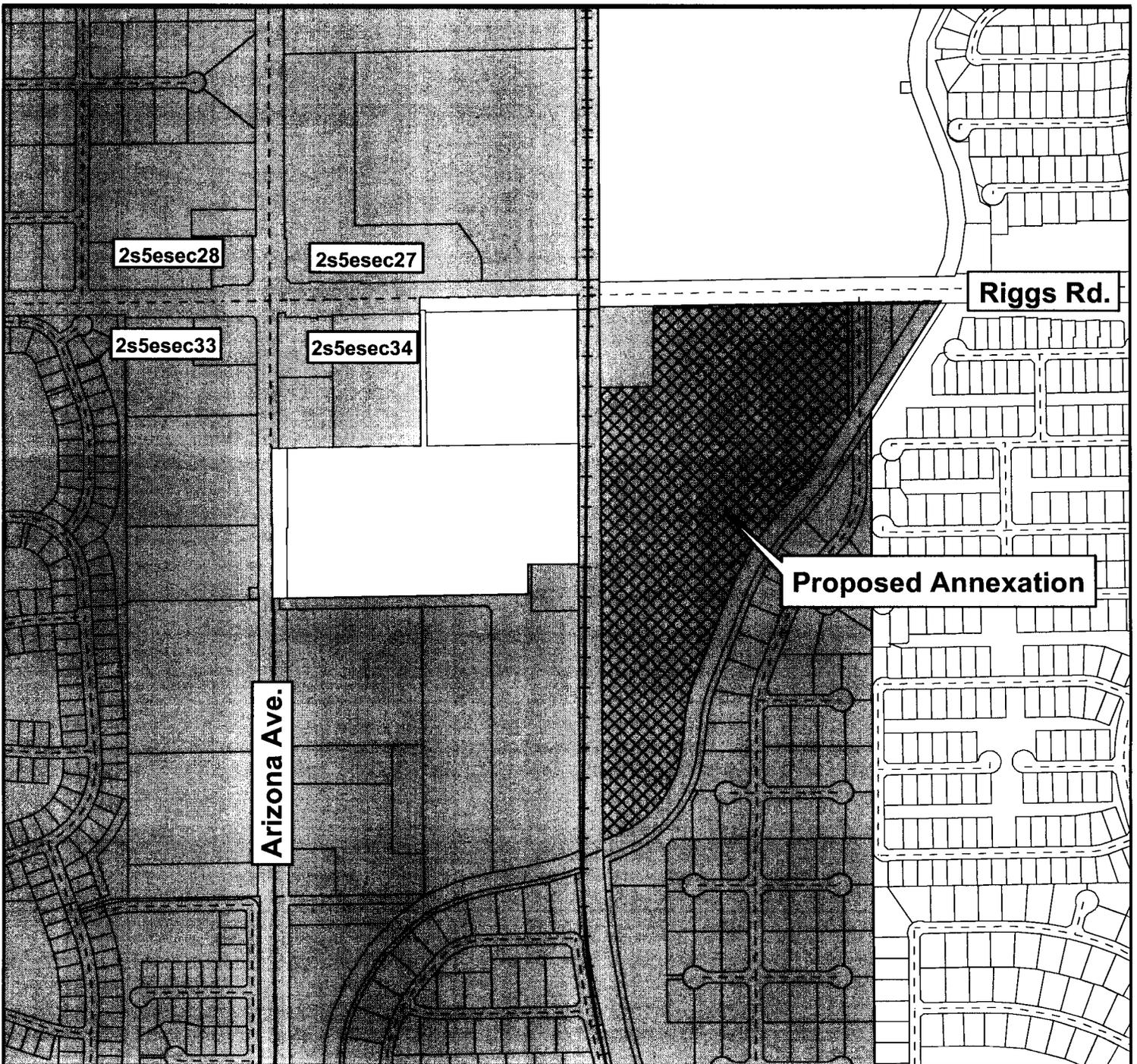
I HEREBY CERTIFY that the above and foregoing Ordinance No.3964 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the _____ day of _____, 2007, and that a quorum was present thereat.

APPROVED AS TO FORM:

CITY ATTORNEY *GAB*

CITY CLERK

PUBLISHED:

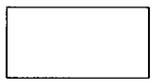


Annexation Map

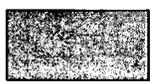
Ordinance No. 3964



Proposed Annexation
East of the Southeast Corner of Riggs Road
and Arizona Avenue



Incorporated Area



Unincorporated Area

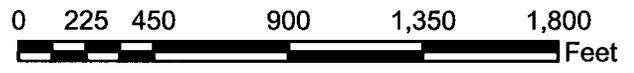


Exhibit B