

#9
APR 10 2008



MEMORANDUM

Planning and Development - Staff Memo No. CC 08-065

DATE: MARCH 19, 2008

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 – NORTHEAST CORNER ARIZONA AVE. & RIGGS RD.
Introduction and Tentative Adoption of Ordinance 4039

Request: Annexation of approximately 35 acres

Location: Northeast Corner Arizona Avenue and Riggs Road

Owner: CTW-Riggs Gateway, LLC

SUMMARY / RECOMMENDATION

The City Council held a public hearing on the requested annexation on February 14, 2008. 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 property, owned by CTW-Riggs Gateway, LLC is located at the northeast corner of Arizona Avenue and Riggs Road. The 35-acre property is presently vacant with the exception of a small portion occupied by several vacated industrial buildings that will be removed to make way for the owner's proposed development. The owner has submitted a companion application for the rezoning of the property to permit the development of retail commercial center. The owner's application, along with his proposed site and building development representations, are under current review by the Planning and Development Staff.

EXISTING CONDITIONS

The property is zoned IND-2 Industrial within the County. Surrounding and/or adjacent parcel status is as follows: North – vacant and undeveloped within the County; East – City of Chandler Municipal Golf Course; South – County and City of Chandler I-1 and I-2 Industrial (County portion developed); West – County large lot single-family residential. The Chandler Land Use Element of the General Plan designates the area at this arterial street intersection as a Commercial Node.

UTILITY SERVICES

Municipal water service mains (16” and 8” diameter) are located within the Arizona Avenue and Riggs Road rights-of-way. A municipal sewer (8” diameter) main is located within the Riggs Road right-of-way.

PROPOSED MOTION

Move to Introduce and Tentatively Adopt Ordinance No. 4039 annexing approximately 35 acres of land described in said Ordinance, also known as the Northeast Corner of Arizona Avenue and Riggs Road.

Attachments

1. Ordinance No. 4039
2. Location Map

ORDINANCE NO. 4039

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, (NORTHEAST CORNER OF ARIZONA AVENUE AND RIGGS ROAD) 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 January 16, 2008 with the County Recorder, that a Public Hearing was held on February 14, 2008 after proper notice was given, that the thirty day waiting period ended on February 16, 2008 and that the petition was circulated thereafter and signed on March 10, 2008; 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:

Parcel 1

A parcel of land located within the Southwest Quarter of Section 27, 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 Southwest corner of section 27, being a brass cap in a handhole, from which the West Quarter corner of Section 27 bears North 00° 17'44" West, a distance of 2640.94 feet;
Thence North 00°17'44" West, along the West line the Southwest Quarter of Section 27, a distance of 1,103.64 feet;
Thence North 88°53'02" East, departing said West line, a distance of 1,355.17 feet to the Westerly right-of-way line of the Union Pacific Railroad;
Thence South 00°15'46" East, along said right-of-way, a distance of 1,103.65 feet to the South line of the Southwest Quarter of Section 27;
Thence South 88°53'02" West, departing said right-of-way and along said South line, a distance of 1,354.54 feet to the Point of Beginning and containing 1,495,122 square feet or 34.32 acres, more or less.

Parcel 2A

A parcel of land being a portion of the Southwest Quarter of Section 27, Township 2 South, Range 5 West, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

Commencing at the Southwest corner of said Section 27;
Thence North 88 degrees 53 minutes 02 seconds East a distance of 1354.49 along the South line of said Section 27 to the Point of Beginning;
Thence North 00 degrees 15 minutes 46 seconds West a distance of 65.00 feet to the North right-of-way line of Riggs Road and West right-of-way line of the Southern Pacific Railroad;

Thence North 88 degrees 53 minutes 02 seconds East a distance of 100.00 feet along said North right-of-way line and parallel with the South line of said Section 27 to a point on the East right-of-way line of the Southern Pacific Railroad;

Thence South 00 degrees 15 minutes 46 seconds East a distance of 65.00 feet along said East right-of-way line of the Southern Pacific Railroad to a point on the South line of said Section 27;

Thence South 88 degrees 53 minutes 02 seconds West a distance of 100.00 feet along the South line of said Section 27 to the Point of Beginning and containing 6,499.36 square feet or 0.15 acres more or less.

Parcel 2B

A parcel of land being a portion of the Northwest Quarter of Section 34, Township 2 South, Range 5 West, 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 53 minutes 02 seconds East a distance of 1354.49 along the North line of said Section 34 to the Point of Beginning;

Thence South 00 degrees 15 minutes 46 seconds East a distance of 65.00 feet to the South right-of-way line of Riggs Road and West right-of-way line of the Southern Pacific Railroad;

Thence North 88 degrees 53 minutes 02 seconds East a distance of 100.00 feet along said South right-of-way line and parallel with the North line of said Section 34 to a point on the East right-of-way line of the Southern Pacific Railroad;

Thence North 00 degrees 15 minutes 46 seconds West a distance of 65.00 feet along said East right-of-way line of the Southern Pacific Railroad to a point on the North line of said Section 34;

Thence South 88 degrees 53 minutes 02 seconds West a distance of 100.00 feet along the North line of said Section 34 to the Point of Beginning and containing 6,499.36 square feet or 0.15 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 _____, 2008.

ATTEST:

CITY CLERK

MAYOR

PASSED AND ADOPTED by the City Council this _____ day of _____, 2008.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

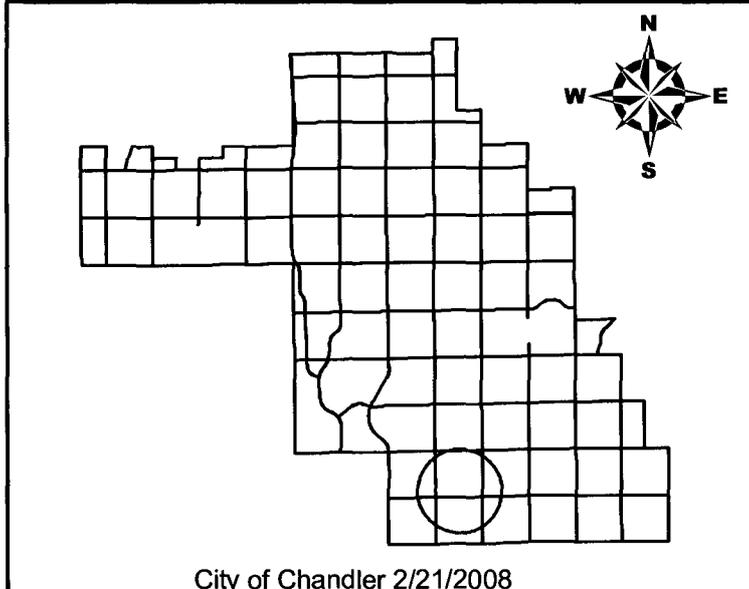
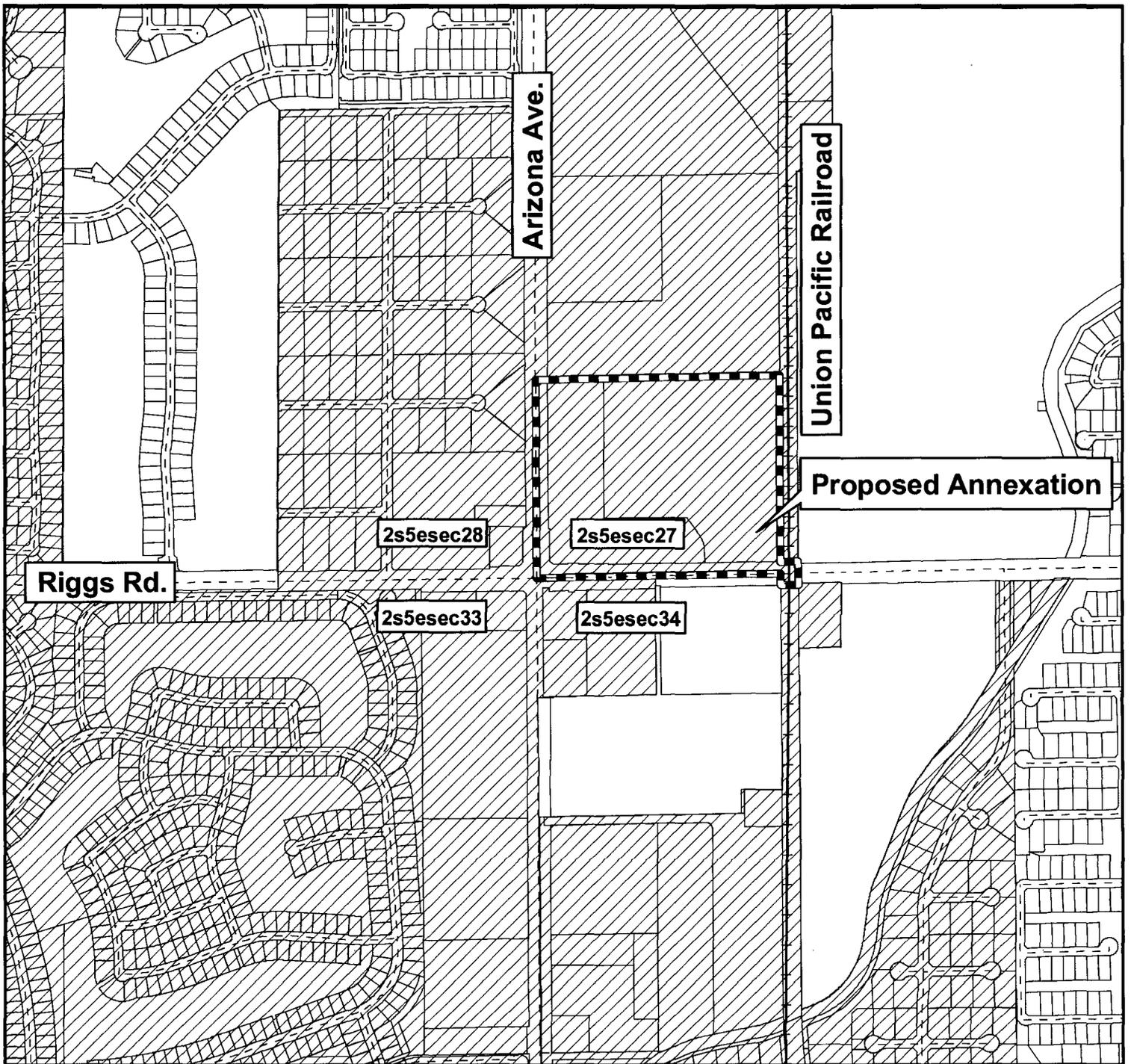
I HEREBY CERTIFY that the above and foregoing Ordinance No. 4039 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the _____ day of _____, 2008, and that a quorum was present thereat.

APPROVED AS TO FORM:

CITY ATTORNEY *GAB*

CITY CLERK

PUBLISHED:



Annexation Map

Ordinance No. 4039

Proposed Annexation
Northeast Corner of Arizona Avenue
and Riggs Road

Incorporated Area

Unincorporated Area

0 260 520 1,040 1,560 2,080
Feet

Exhibit B