

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATIONS**

CC: _____
Amend No. _____

Date prepared: July 20, 2010

Council Meeting Date: August 17, 2010

TO: Carl Swenson, City Manager

FROM: Susan J. Daluddung, AICP, Deputy City Manager 

THROUGH: Glen Van Nimwegen, AICP, Community Development Director 

SUBJECT: Annexation - Crossings at Arrowhead North (ANX09-03):
Annexation of approximately 16.36 acres of certain real property that is pending deannexation from the City of Glendale and located at the southeast corner of 81st Avenue and the Beardsley Road connector alignment and repealing Ordinance 2010-08.

RECOMMENDATION:

The Mayor and City Council adopt an Ordinance repealing Ordinance 2010-08 and approving the annexation of approximately 16.36 acres located at the southeast corner of 81st Avenue and the Beardsley Road connector alignment.

SUMMARY:

On April 20, 2010, Council approved an ordinance to annex approximately 16.36 acres of land near the southeast corner of 81st Avenue and the Beardsley Road connector alignment. Due to scrivener's error, the legal description attached to the Ordinance as Exhibit "A" incorrectly referenced this property. The inaccurate legal description has delayed Maricopa County Board of Supervisors review of the annexation.

The request is to repeal the originally approved ordinance and approve annexation of the parcel. The subject ordinance references the accurate legal description and parcel map.

The Glendale City Council recommended approval of this annexation/deannexation request on March 9, 2010. Following adoption of the City of Peoria's ordinance, the ordinances of the two municipalities are then forwarded to the Maricopa County Board of Supervisors for ratification. The annexation/deannexation process is not complete until the action by the Board of Supervisors is effective.

Following the annexation, the parcel will be processed for an initial zoning designation.

CITY CLERK USE ONLY:

- Consent Agenda
- Carry Over to Date: _____
- Approved
- Unfinished Business (Date heard previous: _____)
- New Business
- Public Hearing: No Action Taken

ORD. # _____ RES. # _____
LCON# _____ LIC. # _____
Action Date: _____

The initial zoning action will zone the property to a district most similar to what it was zoned in Glendale. The property is currently zoned Glendale's A-1 (Agricultural) district which is equivalent to Peoria's AG (Agricultural) district.

Attachments:

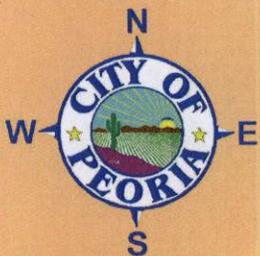
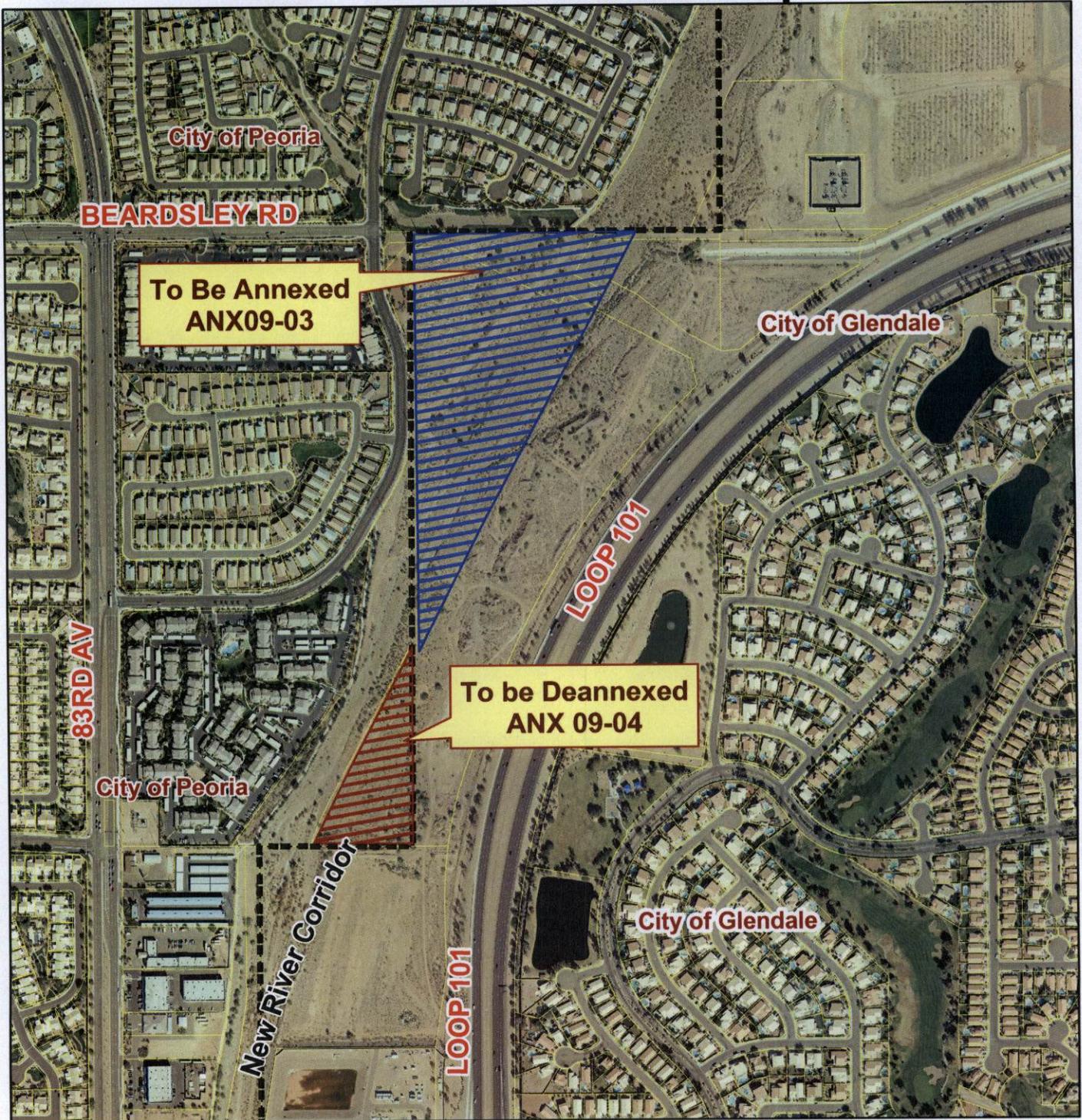
Exhibit A. Vicinity Map

Exhibit B. April 20, 2010 Council Communication for ANX 09-03

Ordinance

CONTACT: Ed Boik, Planner, 623-773-7565

ANX 09-03 Location Map



Not to Scale

ANX 09-03

SEC of 81st Avenue and Beardsley Road
Request to annex to the City of Peoria and
deannex from the City of Glendale.

Exhibit A

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATIONS**

CC: _____

Amend No. _____

Date prepared: March 25, 2010

Council Meeting Date: April 20, 2010

TO: Carl Swenson, City Manager

FROM: Susan J. Daluddung, AICP, Deputy City Manager

THROUGH: Glen Van Nimwegen, AICP, Community Development Director

THROUGH: Chris Jacques, AICP, Planning Manager

PREPARED BY: Ed Boik, Planner

SUBJECT: Crossings at Arrowhead North Annexation (ANX09-03): Annexation of approximately 16.36 acres of certain real property that is pending deannexation from the City of Glendale and located at the southeast corner of 81st Avenue and the Beardsley Road connector alignment.

RECOMMENDATION:

The Mayor and City Council adopt an Ordinance approving the annexation of approximately 16.36 acres located at the southeast corner of 81st Avenue and the Beardsley Road connector alignment.

SUMMARY:

The City has received a request from Earl, Curley & Lagarde, P.C., on behalf of Beardsley Outer Loop, LLC, to annex certain real property which is pending deannexation from the City of Glendale. This action is companion to a deannexation in which property will be annexed to Glendale (ANX 09-04). The annexation/deannexation exchange will allow a project to be developed wholly within the City of Glendale and transfer a large, developable property into the Peoria corporate limits.

In this area, the boundary between Glendale and Peoria crosses the new river wash multiple times which hinders the ability of either city to effectively service those properties. This proposal aligns the city boundary on the centerline of the New River wash. This is consistent with the City's annexation policy which promotes efficient

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delivery of services and effective management of urban development.

The property to be annexed is located at the southeast corner of 81st Avenue and the Beardsley Road connector alignment. The General Land Use Plan designates it High Density Residential (15+ du/ac, target 18 du/ac). The properties directly west of the subject property are designated the same and developed with multi-family apartments. The property to the north is designated Low Density Residential (2-5 du/ac, target 3 du/ac) and is developed as single-family residential. The property to be annexed also abuts the west bank of the New River corridor.

There is an existing water line (New River Utility Company) and sewer line at the corner of 81st avenue and Beardsley Road. Both lines could be extended to accommodate development on the subject property. Although no development plans are currently proposed for the parcel, the General Plan land use designation supports a target of 294 units for this 16.36 acre parcel (18 du/ac).

The Glendale City Council recommended approval of this annexation/deannexation request on March 9, 2010.

State law provides procedures for annexation/deannexation of property from one municipality to another. Following adoption of the City of Peoria's ordinance and the deannexation ordinance by the City of Glendale, the ordinances of the two municipalities are then forwarded to the Maricopa County Board of Supervisors for ratification. The annexation/deannexation process is not complete until the action by the Board of Supervisors is effective.

Following the annexation, the parcel will be processed for an initial zoning designation. The initial zoning action will zone the property to a district most similar to what it was zoned in Glendale. The property is currently zoned Glendale's A-1 (Agricultural) district which is equivalent to Peoria's AG (Agricultural) district.

Attachments:

- Exhibit A. Annexation Request
- Exhibit B. Vicinity Map

Ordinance

ORDINANCE NO. 2010-20

AN ORDINANCE OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA REPEALING ORDINANCE 2010-08 AND ANNEXING CERTAIN REAL PROPERTY, APPROXIMATELY 16.36 ACRES OF LAND, LOCATED AT THE SOUTHEAST CORNER OF 81ST AVENUE AND THE BEARDLSEY ROAD CONNECTOR, CONTINGENT UPON DEANNEXATION OF SAID PROPERTY BY THE CITY OF GLENDALE, ARIZONA, PURSUANT TO THE PROVISIONS OF A.R.S. §9-471.02.

WHEREAS, Ordinance No. 2010-08 was adopted by the Mayor and Council of the City of Peoria to annex certain property to the City of Peoria and inaccurately described the property to be annexed; and

WHEREAS, A.R.S. §9-471.02 provides a method for annexation of land from one municipality and deannexation of the land to another municipality; and

WHEREAS, it is the desire of the land owner to have the land in question deannexed from the City of Glendale, Arizona and annexed to the City of Peoria, Arizona; and

WHEREAS, it is the intention and desire of the Mayor and Council of the City of Peoria, Arizona to annex certain real property to the City of Peoria that may be deannexed by the City of Glendale.

NOW, THEREFORE BE IT ORDAINED by the Mayor and Council of the City of Peoria, Arizona that:

SECTION 1. That Ordinance 2010-08 is hereby repealed.

SECTION 2. That the following described land is to be annexed by the City of Peoria and deannexed from the City of Glendale, to wit:

See Exhibit "A" to this Ordinance, Legal Description
See Exhibit "B" to this Ordinance, Map

SECTION 3. That pursuant to A.R.S. §9-471.02(B), the Mayor and Council of the City of Peoria, Arizona declare the land described in Section 1, Exhibit A is annexed from the City of Peoria, Arizona upon fulfillment of the conditions set forth in A.R.S. §9-471.02.

SECTION 4. That the City Clerk is hereby directed to certify a copy of this Ordinance and file the same with the Maricopa County Board of Supervisors requesting a hearing date as set forth in A.R.S. §9-471.02(D).

PASSED AND ADOPTED by the Mayor and Council for the City of Peoria, Arizona this 17th day of August, 2010.

Bob Barrett, Mayor

Date Signed

ATTEST:

Mary Jo Waddell, City Clerk

APPROVED AS TO FORM:

Stephen M. Kemp, City Attorney

ORD. 2010-20
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Effective Date: _____

EXHIBIT A
LEGAL DESCRIPTION

That portion of the East half of the Northwest quarter of Section 26, Township 4 North, Range 1 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona described as follows:

Commencing at the Northwest corner of said Section 26;

Thence South 89 degrees 52 minutes 21 seconds East, along the North line of said Northwest quarter of Section 26 a distance of 1321.75 feet to a point on the West line of said East half of the Northwest quarter of Section 26 and the **Point of Beginning**;

Thence continuing South 89 degrees 52 minutes 21 seconds East a distance of 924.23 feet;

Thence South 27 degrees 48 minutes 30 seconds West a distance of 1,981.41 feet to a point on said West line of the East half of the Northwest quarter of Section 26;

Thence along said West line North 00 degrees 00 minutes 15 seconds East a distance of 1,754.64 feet to the **Point of Beginning**.

Except: The North 40.00 feet thereof.

EXHIBIT B
MAP

