

ORDINANCE G-7451

AN ORDINANCE AMENDING THE STIPULATIONS
APPLICABLE TO REZONING APPLICATION Z-29-12-7(5)
PREVIOUSLY APPROVED BY ORDINANCE G-5779.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as

follows:

SECTION 1. The zoning stipulations applicable to the site located at the southeast corner of 99th Avenue and Thomas Road in a portion of Section 33, Township 2 North, Range 1 East, as described more specifically in Exhibit A and depicted in Exhibit B, are hereby modified to read as set forth below.

STIPULATIONS:

1. An updated Development Narrative for the Sheely Center PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with THE Development Narrative date stamped JUNE 6, 2025 ~~September 27, 2012~~, as modified by the following stipulations.
2. The applicant shall submit a revised Traffic Impact Study to the Street Transportation Department and Planning and Development Department prior to preliminary site plan approval. The applicant shall be responsible for any dedications and required improvements adjacent to the boundaries of the subject property as recommended by the traffic study, as approved by the Street Transportation Department and Planning and Department.

3. ALL STREETS, WITHIN AND ADJACENT TO THE DEVELOPMENT, SHALL BE DEDICATED AND CONSTRUCTED PER THE APPROVED SHEELY FAMRS MASTER STREET PLAN. ~~The applicant shall submit a street alignment plan for public streets (design and alignment for all arterial and collector streets), prior to preliminary site plan approval, for review and approval by the Street Transportation Department and Planning and Development Department.~~
4. Access to McDowell Road shall be reviewed by ADOT, Maricopa County, city of Tolleson, and the city of Phoenix. Notification of such review shall be submitted to the Street Transportation Department and the Planning and Development Department prior to preliminary site plan approval.
5. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscape and other incidentals as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
6. PRIOR TO FINAL SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS FORM. THE WAIVER SHALL BE RECORDED WITH THE MARICOPA COUNTY RECORDER'S OFFICE AND DELIVERED TO THE CITY TO BE INCLUDED IN THE REZONING APPLICATION FILE FOR RECORD.
7. DEVELOPMENT OF THE PARCEL AS SHOWN ON THE PROPOSED SITE PLAN IS CONDITIONED UPON OBTAINING A BINDING WAIVER OF ENFORCEMENT APPROVED BY THE CITY COUNCIL.
8. THE DEVELOPER SHALL COMPLY WITH THE CONDITIONS AS OUTLINED IN THE BINDING WAIVER OF ENFORCEMENT AS APPROVED BY THE CITY COUNCIL ON JANUARY 21, 2026.
9. THE AREA IDENTIFIED ON THE SITE PLAN DATE STAMPED JUNE 6, 2025, SHALL BE DEVELOPED AS AN OPEN SPACE AREA WITH A MINIMUM OF TWO SOCCER FIELDS AT THE NORTHEAST CORNER OF THE SITE AND SHALL BE CONSTRUCTED AS PART OF THE FIRST PHASE OF CONSTRUCTION.

SECTION 2. Due to the site's specific physical conditions and the use district granted pursuant to Ordinance G-5779, this portion of the rezoning is now subject to the stipulations approved pursuant to Ordinance G-5779 and as modified in Section 1 of this Ordinance. Any violation of the stipulation is a violation of the City of

Phoenix Zoning Ordinance. Building permits shall not be issued for the subject site until all the stipulations have been met.

SECTION 3. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

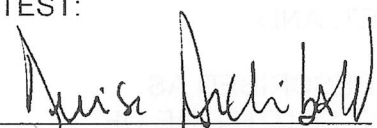
PASSED by the Council of the City of Phoenix this 21st day of January 2026.



MAYOR
02/25/26

Date

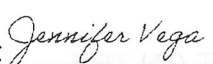
ATTEST:



Denise Archibald, City Clerk



APPROVED AS TO FORM:
Julie M. Krieger, City Attorney

By: 

Chief Counsel



Ed Zuercher, City Manager

REVIEWED BY:



Ed Zuercher, City Manager

LVH:smb:(LF25-2681):01/21/26:4930-0521-2303 v.1.docx

Exhibits:

- A - Legal Description (4 Pages)
- B - Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR PHO-1-25--Z-29-12-7(5)

The Land referred to herein below is situated in the County of Maricopa, State of Arizona, and is described as follows:

LEGAL DESCRIPTION FOR Z-29-12-
7(5)

THAT PART OF PARCELS 1, 2 AND 3 LYING WEST OF THE WESTERLY LINE OF THAT PROPERTY CONVEYED TO THE STATE OF ARIZONA BY DEED RECORDED JULY 31, 1998 IN 98-663064 AND NORTH OF THE NORTH RIGHT-OF-WAY LINE OF THE ROOSEVELT IRRIGATION DISTRICT **MAIN** CANAL.

PARCEL NO. 1:

THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 2 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA:

EXCEPT THE NORTH 33 FEET AND THE WEST 70 FEET; AND

EXCEPT A TRIANGULAR SHAPED PARCEL OF LAND DESCRIBED AS BEGINNING AT THE POINT OF INTERSECTION OF THE SOUTH LINE OF THE NORTH 200.00 FEET AND THE EAST LINE OF THE WEST 70 FEET OF SAID NORTHWEST QUARTER OF SAID SECTION 33;

THENCE EASTERLY 5 FEET ALONG SAID SOUTHERLY LINE OF THE NORTH 200.00 FEET TO A POINT;

THENCE IN A SOUTH-SOUTHWESTERLY DIRECTION TO A POINT ON THE EAST LINE OF THE WEST 70 FEET THAT IS 600 00 FEET SOUTHERLY FROM SAID POINT OF INTERSECTION;

THENCE NORTHERLY TO SAID POINT OF INTERSECTION; AND EXCEPT A PARCEL DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE SOUTH LINE OF THE NORTH 33 FEET AND THE EAST LINE OF THE WEST 75 FEET OF SAID NORTHWEST QUARTER OF SAID SECTION 33;

THENCE EASTERLY 35 FEET ALONG SAID SOUTH LINE OF THE NORTH 33 FEET TO A POINT;

THENCE IN A SOUTHWESTERLY DIRECTION TO A POINT ON SAID EAST LINE OF THE WEST 75 FEET THAT IS 35 FEET SOUTHERLY FROM SAID POINT OF INTERSECTION;

THENCE NORTHERLY TO SAID POINT OF INTERSECTION, AND EXCEPT THE EAST 5 FEET OF THE WEST 75 FEET OF THE SOUTH 167.00 FEET OF THE NORTH 200.00 FEET OF SAID SECTION 33.

PARCEL NO 2:

THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 2 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT THE SOUTH 100 FEET OF THE WEST 298.72 FEET OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 33, AS CONVEYED TO THE ROOSEVELT IRRIGATION DISTRICT, BY THAT CERTAIN DEED RECORDED IN BOOK 218 OF DEEDS, PAGE 366, RECORDS OF MARICOPA COUNTY, ARIZONA; AND INSTRUMENT 84-3648, AND

EXCEPT RIGHT OF WAY FOR DITCH EXTENDING FROM NORTH TO SOUTH BOUNDARIES OF THE SOUTHWEST QUARTER OF SAID SECTION 33; ALONG AND IMMEDIATELY WEST OF THE EAST LINE THEREOF AS CONVEYED TO UNITED STATES OF AMERICA BY THAT CERTAIN DEED RECORDED IN BOOK 175 OF DEEDS, PAGE 429, RECORDS OF MARICOPA COUNTY, ARIZONA, AND

EXCEPT THE WEST 65 FEET.

PARCEL NO 3:

PART OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 2 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT FROM WHICH THE NORTHWEST CORNER OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 33 BEARS SOUTH 88 DEGREES 48 MINUTES 30 SECONDS WEST 120 FEET;

THENCE SOUTH 0 DEGREES 11 MINUTES WEST 367 70 FEET;

THENCE SOUTH 44 DEGREEES 36 MINUTES EAST 189.60 FEET;

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THENCE SOUTH 27 DEGREES 23 MINUTES EAST 88.90 FEET;

THENCE SOUTH 0 DEGREES 01 MINUTES EAST 416.71 FEET;

THENCE SOUTH 44 DEGREES 18 MINUTES EAST 246.60 FEET;

THENCE SOUTH 56 DEGREES 58 MINUTES EAST 54.85 FEET;

THENCE NORTH 89 DEGREES 00 MINUTES EAST 2070.23 FEET,

THENCE NORTH 0 DEGREES 12 MINUTES EAST 50 FEET;

THENCE NORTH 89 DEGREES 00 MINUTES EAST 60 FEET (FROM WHICH POINT THE SOUTH QUARTER CORNER OF SAID SECTION 33 BEARS SOUTH 0 DEGREES 12 MINUTES WEST 160 FEET);

THENCE NORTH 0 DEGREES 12 MINUTES EAST ALONG THE MIDSECTION LINE OF SAID SECTION 33, A DISTANCE OF 1170 FEET TO NORTHEAST CORNER OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 33;

THENCE SOUTH 88 DEGREES 48 MINUTES 30 SECONDS WEST ALONG THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 33 A DISTANCE OF 2525.89 FEET TO THE PLACE OF BEGINNING,

EXCEPT RIGHT OF WAY FOR DITCH LYING IMMEDIATELY WEST OF THE EAST LINE CONVEYED TO UNITED STATES OF AMERICA BY DEED RECORDED IN BOOK 175 OF DEEDS, PAGE 429, RECORDS OF MARICOPA COUNTY, ARIZONA; AND

EXCEPT THE EAST 90 FEET OF THE WEST 298.72 FEET OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 33, LYING NORTH OF THE NORTHEASTERLY RIGHT-OF-WAY LINE OF THE ROOSEVELT IRRIGATION DISTRICT MAIN CANAL;

ALSO BEGINNING AT THE POINT OF INTERSECTION OF THE EAST LINE OF THE WEST 208.72 FEET AND THE NORTH LINE OF SAID SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 33;

THENCE WEST 75 FEET ALONG SAID NORTH LINE OF SAID SOUTH HALF OF THE SOUTHWEST QUARTER; 75 FEET TO A POINT;

THENCE WEST 75 FEET ALONG SAID NORTH LINE OF SAID SOUTH HALF OF THE SOUTHWEST QUARTER, 75 FEET TO A POINT;

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THENCE IN A SOUTHEASTERLY DIRECTION TO A POINT ON SAID EAST LINE OF THE WEST 208.72 FEET THAT IS 75 FEET SOUTHERLY FROM SAID POINT OF INTERSECTION;

THENCE NORTHERLY TO THE POINT OF INTERSECTION.

PARCEL NO. 4:

THOSE PORTIONS OF THE SOUTH ONE-HALF OF THE SOUTHWEST ONE-QUARTER ($S\frac{1}{2}$ OF $SW\frac{1}{4}$) OF SECTION THIRTY-THREE (33), TOWNSHIP TWO (2) NORTH, RANGE ONE (1) EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

PARCELA

THAT PART OF THE WEST 208 72 FEET OF THE SOUTH ONE-HALF OF THE SOUTHWEST ONE QUARTER ($S\frac{1}{2}$ OF $SW\frac{1}{4}$) OF SAID SECTION 33, LYING WITHIN A STRIP OF LAND NINETY (90) FEET WIDE ON A CENTER LINE DESCRIBED AS FOLLOWS:

USING AS A BASE THE SOUTH ONE-HALF ($S\frac{1}{2}$) OF THE WEST LINE OF SECTION THIRTY-THREE (33), TOWNSHIP TWO (2) NORTH, RANGE ONE (1) EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, WITH AN ASSUMED BEARING OF NORTH $0^{\circ}04'$ EAST;

BEGINNING AT A POINT 256.9 FEET EAST OF AND 308.7 FEET NORTH OF THE SOUTHWEST CORNER OF SAID SECTION 33, AND RUNNING THENCE NORTH $0^{\circ}06'$ WEST 453 7 FEET TO A POINT;

THENCE NORTH $45^{\circ}06'$ WEST 247.6 FEET TO A POINT;

THENCE PARALLEL TO AND 78.0 FEET EAST OF THE WEST LINE OF SAID SECTION 33, NORTH $0^{\circ}04'$ EAST 476.0 FEET;

EXCEPT THE WEST SIXTY-FIVE (65) FEET OF SAID SECTION 33.

PARCEL B:

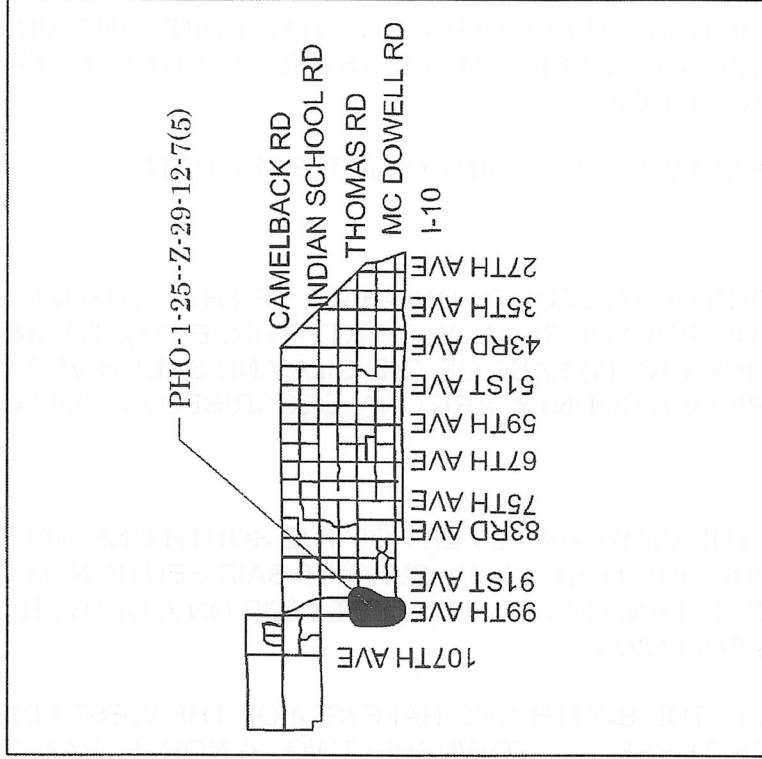
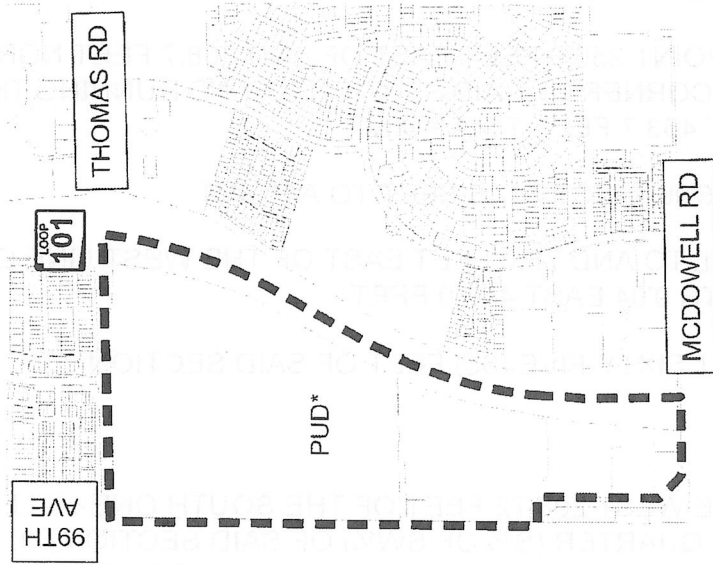
THAT PART OF THE WEST 208.72 FEET OF THE SOUTH ONE-HALF OF THE SOUTHWEST ONE-QUARTER ($S\frac{1}{2}$ OF $SW\frac{1}{4}$) OF SAID SECTION 33, LYING NORTH OF THE NORTH LINE OF THE SOUTH 717.44 FEET OF SAID SECTION 33 AND WEST OF PARCEL A AS DESCRIBED ABOVE:

EXCEPT THE WEST SIXTY-FIVE (65) FEET OF SAID SECTION 33

ORDINANCE LOCATION MAP

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: - - - - -

Zoning Case Number: PHO-1-25--Z-29-12-7(5)
Zoning Overlay: N/A
Planning Village: Maryvale



0 500 1,000 2,000 Feet

NOT TO SCALE



Drawn Date: 7/22/2025