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ORDINANCE G-5962

AN ORDINANCE AMENDING THE CODE OF THE CITY OF PHOENIX, ARIZONA, PART II, CHAPTER 41, THE ZONING ORDINANCE OF THE CITY OF PHOENIX, BY AMENDING SECTION 601, THE ZONING MAP OF THE CITY OF PHOENIX, CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-29-14-1) FROM IP (INDUSTRIAL PARK) AND C-2 (INTERMEDIATE COMMERCIAL) TO PUD (PLANNED UNIT DEVELOPMENT).

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WHEREAS, on July 11, 2014, the City of Phoenix Planning and Development Department received, in compliance with the requirements of the City of Phoenix Zoning Ordinance, Section 506, a written request for rezoning from Michael Curley, with Earl, Curley and Lagarde, having authorization to represent the owner, C.M.B. III, LLC of an approximately 42.61 acre property located approximately 550 feet south of the southwest corner of Thunderbird Road and the Interstate 17 Frontage Road in a portion of Section 14, Township 3 North, Range 2 East, as described more specifically in Attachment "A", attached hereto and incorporated herein by this reference; and,

WHEREAS, pursuant to A.R.S. § 9-462.04, the Planning Commission, held a public hearing on November 18, 2014, and at this hearing recommended that the City Council approve this rezoning request with the recommended staff conditions, as modified; and,

WHEREAS, the City Council, at their regularly scheduled meeting held on December 17, 2014 has determined that, in accordance with A.R.S. § 9-462.01.F, this rezoning request, with the appropriate site specific requirements provided in Section 2, is consistent with and conforms to the General Plan, will conserve and promote the public health, safety and general welfare, and should be approved, subject to the conditions herein.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as follows:

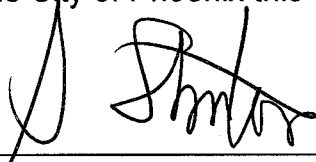
SECTION 1: The zoning of an approximately 42.61 acre property located approximately 550 feet south of the southwest corner of Thunderbird Road and the Interstate 17 Frontage Road in a portion of Section 14, Township 3 North, Range 2 East, as described more specifically in Attachment "A", is hereby changed from "Ind.Pk." (Industrial Park) and "C-2" (Intermediate Commercial) to "PUD" (Planned Unit Development) and that the Planning and Development Director is instructed to modify The Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Attachment "B".

SECTION 2: The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-29-14-1, on file with the Planning and Development Department. Due to the site's specific physical conditions and the use district applied for by the applicant, this rezoning is subject to compliance with the PUD narrative and the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:


1. An updated Development Narrative for the Metro North Corporate Park 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 September 23, 2014.
2. The applicant shall submit a Traffic Impact Study to the Street Transportation Department and the Planning and Development Department prior to preliminary site plan review. The applicant shall be responsible for any dedications and required improvements as recommended by the approved traffic study, as approved by the Planning and Development Department and the Street Transportation Department.

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.

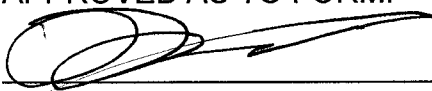
PASSED by the Council of the City of Phoenix this 17th day of December, 2014.


  
 \_\_\_\_\_  
 MAYOR

ATTEST:

  
 \_\_\_\_\_ City Clerk **ACTING**



APPROVED AS TO FORM:  
  
 \_\_\_\_\_ Acting City Attorney pml

REVIEWED BY:  
  
 \_\_\_\_\_ City Manager

PL:tml:1158618v1 (CM#76) (Item #43) 12/17/14

- Attachments:
- A - Legal Description (1 Page)
  - B - Ordinance Location Map (1 Page)

ATTACHMENT A

LEGAL DESCRIPTION FOR Z-29-14-1

Legal Description Metro North Corporate Park

Lot 7, of Metro North Corporate Park, per Book 445 of Maps, Page 3, at Recording No. 97-0460983 dated July 8, 1997 in the Records of Maricopa County, Arizona, being located in a part of the Northeast Quarter of Section 14, Township 3 North, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona. Containing 42.11 Acres+-

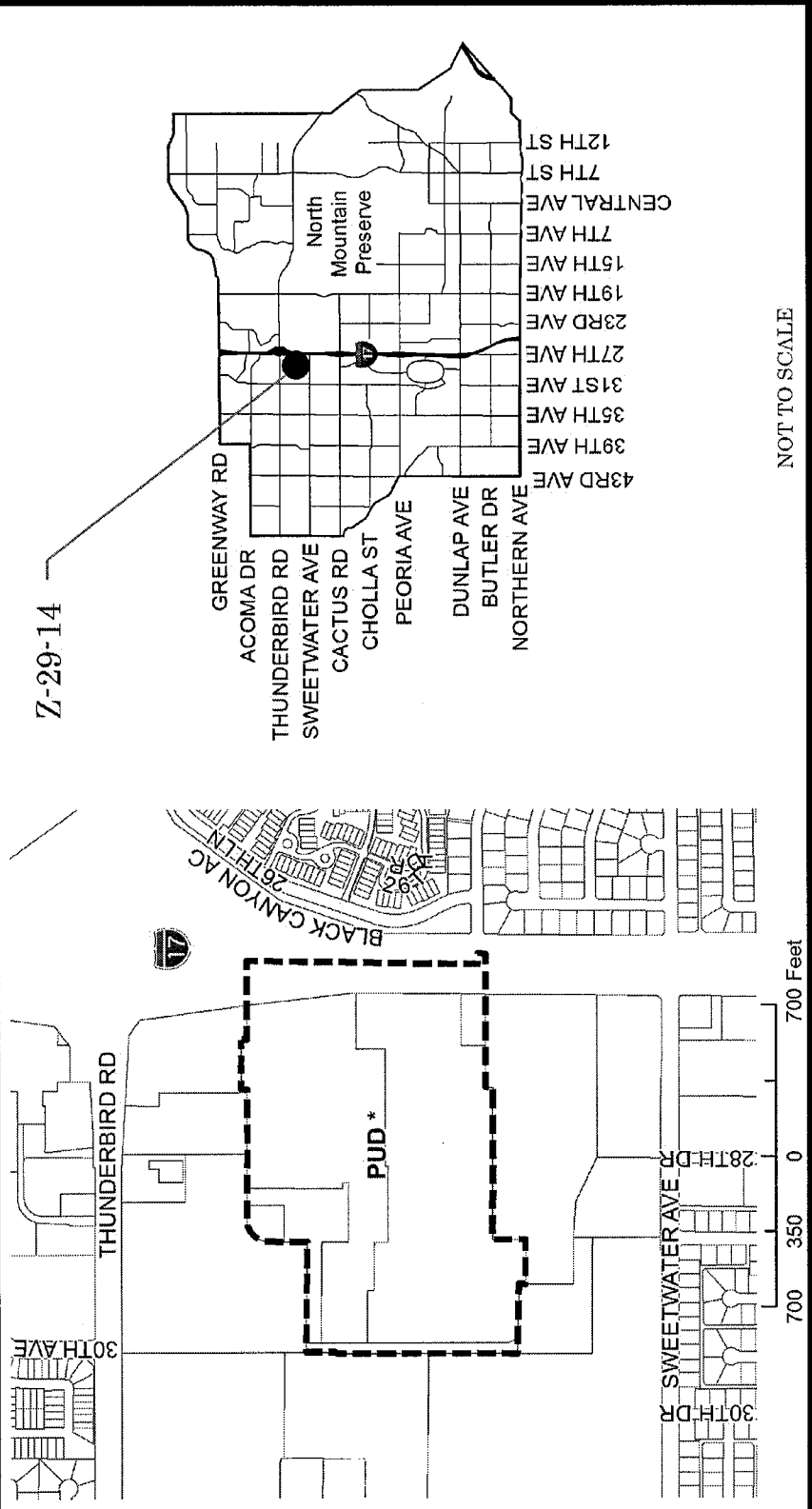
Note: To Centerline of I-17 west side frontage road adds approximately 0.99 acres.

ATTACHMENT B

ORDINANCE LOCATION MAP

Zoning Case Number: Z-29-14  
Zoning Overlay: N/A  
Planning Village: North Mountain Village

ZONING SUBJECT TO STIPULATIONS: \*  
SUBJECT AREA: ■■■■■



NOT TO SCALE

Drawn Date: 11/24/2014

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