



City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

March 19, 2020

William F. Allison
Withey Morris PLC
2525 East Arizona Biltmore Circle, Suite A-212
Phoenix, Arizona 85016

Dear Applicant:

RE: Z-3-A-15-1 – Northwest corner of 19th Avenue and Happy Valley Road

Please be advised that the Phoenix City Council, in accordance with the provisions of Section 601 of the Zoning Ordinance, as amended, has on March 4, 2020, approved Zoning Ordinance # G-6681.

Development and use of the site is subject to compliance with all applicable codes and ordinances.

Sincerely,

Joshua Bednarek, LEED AP ND
Planning and Development Deputy Director

Attachment: Signed Ordinance

c: USAA, et al, 9800 Fredericksburg Rd., San Antonio, TX 78288
US RELP Norterra East I, LLC, 9830 Colonnade Blvd., #600, San Antonio, TX 78230
File
Tricia Gomes, PDD–Planning-Special Projects Administrator (Electronically)
Racelle Escolar, PDD–Planning–Planner III (Electronically)
David Simmons, PDD–Planning–Village Planner (Electronically)
Ben Kim, PDD–GIS (Electronically)
Craig Mavis, PDD–Development (Electronically)
Penny Parrella, City Council (Electronically)

ORDINANCE G-6681

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (Z-3-A-15-1) FROM PUD (PLANNED UNIT DEVELOPMENT), CP/GCP PCD M-R (COMMERCE PARK/GENERAL COMMERCE PARK, PLANNED COMMUNITY DISTRICT, MID-RISE), AND S-1, APPROVED CP/GCP PCD M-R (RANCH OR FARM RESIDENCE DISTRICT, APPROVED COMMERCE PARK/GENERAL COMMERCE PARK, PLANNED COMMUNITY DISTRICT, MID-RISE) TO PUD (PLANNED COMMUNITY DISTRICT).

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

SECTION 1. The zoning of a 407.90 acre site located on the northwest corner of 19th Avenue and Happy Valley Road, in a portion of Sections 1 and 2, Township 4 North, Range 2 East, as described more specifically in Exhibit "A," is hereby changed from 397.86 acres of "PUD" (Planned Community District), 9.77 acres of "CP/GCP PCD M-R" (Commerce Park/General Commerce Park, Planned Community District, Mid-Rise), and 0.27-acres of "S-1, approved CP/GCP PCD M-R" (Ranch or Farm Residence, approved Commerce Park/General Commerce Park, Planned Community District, Mid-Rise) to 407.90 acres of "PUD" (Planned Community District).

SECTION 2. 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 Exhibit "B."

SECTION 3. Due to the site's specific physical conditions and the use district applied for by the applicant, this rezoning is subject to 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 Norterra 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 November 18, 2019, as modified by the following stipulations:
 - a. Update overall acreage to be 407.90 gross acres and the expansion area to be 10.04 gross acres.
 - b. Update page 25 to show the existing General Plan Land Use Map designations.
 - c. Update the Zoning Map exhibit on page 29 to replace the subtitle "current" with "prior to Norterra PUD."
2. The Public Transit Department shall require retention of right-of-way and the bus stop pad along southbound 21st Avenue and westbound Happy Valley Road. Any relocation or modifications shall require approval by the Public Transit Department.
3. The developer shall provide clearly defined, accessible pathways, constructed of decorative pavers, stamped or colored concrete, or other decorative pavement that visually contrasts with the adjacent parking and drive aisle surfaces. There shall be a pedestrian pathway to connect all building entrances and exits to/from the existing bus stop pads and public sidewalks, utilizing the minimum possible distance and providing the most direct route, as approved by the Planning and Development Department.


4. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

SECTION 4. 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.

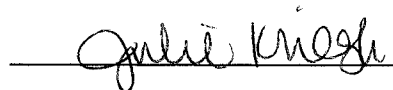
PASSED by the Council of the City of Phoenix this 4th day of March, 2020.


MAYOR

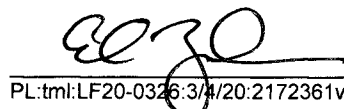
ATTEST:


City Clerk
03.10.2020
APPROVED AS TO FORM:




Acting City Attorney pm

REVIEWED BY:


City Manager
PL:tml:LF20-0326:3/4/20:2172361v1

Exhibits:

- A – Legal Description (2 Pages)
- B – Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR Z-3-A-15-1

A portion of Section 1 and Section 2, Township 4 North, Range 2 East, of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

BEGINNING at the southeast corner of said Section 1, a 3-inch Maricopa County (M.C.) brass cap in handhole (B.C.H.), from which the south quarter corner of said Section 1, a 3-inch City of Phoenix (C.O.P.) brass cap in handhole, bears North 89°37'02" West (basis of bearing), a distance of 2674.52 feet;

THENCE along the south line of said Section 1, North 89°37'02" West, a distance of 2674.52 feet, to said south quarter corner and the monument line of Norterra Parkway, USAA Amended, recorded in Book 691, page 26, Maricopa County Records (M.C.R.);

THENCE leaving said south line, along said monument line, North 00°29'52" West, a distance of 300.04 feet, to the beginning of a curve;

THENCE northwesterly along said curve to the left, having a radius of 645.00 feet, concave southwesterly, through a central angle of 72°05'42", a distance of 811.60 feet, to curves end;

THENCE North 72°35'34" West, a distance of 206.86 feet;

THENCE leaving said monument line, North 17°24'26" East, a distance of 77.00 feet, to the easterly right-of-way line of said Norterra Parkway;

THENCE leaving said easterly right-of-way line, North 17°30'02" East, a distance of 9.67 feet, to the beginning of a curve;

THENCE northeasterly along said curve to the right, having a radius of 400.00 feet, concave southeasterly, through a central angle of 46°06'04", a distance of 321.85 feet, to the curves end;

THENCE North 63°36'06" East, a distance of 195.44 feet;

THENCE North 27°39'03" West, a distance of 284.62 feet;

THENCE North 62°20'57" East, a distance of 39.69 feet, to the beginning of a curve;

THENCE northeasterly along said curve to the left, having a radius of 740.00 feet, concave northwesterly, through a central angle of 39°16'33", a distance of 507.26 feet, to the beginning of a compound curve;

THENCE northerly along said compound curve to the left, having a radius of 990.69 feet, concave westerly, through a central angle of 13°56'20", a distance of 241.01 feet, to the easterly line of Lot 1, said USAA Amended, and a point of intersection with a non-tangent line;

THENCE along said easterly line, North 00°00'00" East, a distance of 327.93 feet, to the westerly line, USAA Norterra Master Plan Parcel 1, described in Document 2017-0324971, M.C.R., and the beginning of a non-tangent curve;

THENCE leaving said easterly line, northerly, along said westerly line, and along said non-tangent curve to the left, having a radius of 1010.83 feet, concave westerly, whose radius bears South 80°29'16" West, through a central angle of 0°03'05", a distance of 0.90 feet, to the intersection of a non-tangent curve;

THENCE northerly along said non-tangent curve to the left, having a radius of 1227.50 feet, concave westerly, whose radius bears South 77°46'50" West, through a central

angle of 04°29'32", a distance of 96.24 feet, to a point of intersection with a non-tangent line;

THENCE leaving said westerly line, North 20°35'40" West, a distance of 38.54 feet, to the beginning of a curve;

THENCE northwesterly along said curve to the left, having a radius of 701.70 feet, concave southwesterly, through a central angle of 14°34'09", a distance of 178.43 feet, to said westerly line;

THENCE along said westerly line, northwesterly along said curve to the left, having a radius of 701.70 feet, concave southerly, through a central angle of 23°27'03", a distance of 287.20 feet, to a point of intersection with a non-tangent line;

THENCE leaving said westerly line, North 61°21'58" West, a distance of 58.09 feet;

THENCE North 65°05'57" West, a distance of 32.22 feet;

THENCE North 66°54'56" West, a distance of 63.80 feet;

THENCE North 73°59'30" West, a distance of 283.47 feet;

THENCE North 89°59'46" West, a distance of 1362.15 feet, to said monument line of Norterra Parkway, and a point of intersection with a non-tangent curve;

THENCE along said monument line, southerly along said non-tangent curve to the left, having a radius of 1100.00 feet, whose radius bears South 72°25'36" East, through a central angle of 07°28'12", a distance of 143.41 feet, to a point of intersection with a non-tangent line;

THENCE leaving said monument line, North 79°53'48" West, a distance of 55.00 feet, to the southeast corner of Lot 4, USAA Unit 1, recorded in Book 900, page 40, M.C.R.;

THENCE along the southerly line of said Lot 4, North 90°00'00" West, a distance of 865.48 feet, to the southwest corner of said Lot 4;

THENCE leaving said southerly line, South 80°00'27" West, a distance of 25.00 feet, to a line parallel with and 25 feet westerly of the west line of said Lot 4;

THENCE along said parallel line, North 09°59'33" West, a distance of 239.89 feet;

THENCE North 03°20'16" West, a distance of 360.07 feet;

THENCE North 00°00'22" East, a distance of 813.73 feet;

THENCE North 41°11'36" East, a distance of 60.13 feet;

THENCE North 82°12'31" East, a distance of 366.73 feet;

THENCE North 00°43'06" West, a distance of 84.05 feet, to the north line of said Section 1;

THENCE leaving said parallel line, along said north line, North 89°16'54" East, a distance of 214.28 feet, to the southwest corner of Section 36, Township 5 North, Range 2 East;

THENCE along the south line of said Section 36, also being the north line of said Section 1, North 89°26'46" East, a distance of 2653.24 feet, to the south quarter corner of said Section 36;

THENCE continuing along the south line of said Section 36 and said north line of said Section 1, North 89°25'44" East, a distance of 2470.22 feet, to the northeast corner of said Section 1;

THENCE leaving said south line of Section 36 and said north line of Section 1, along the east line of said Section 1, South 00°14'41" East, a distance of 2081.96 feet, to the east quarter corner of said Section 1;

THENCE continuing along said east line, South 00°13'09" East, a distance of 2644.80 feet, to the **POINT OF BEGINNING**.

Containing 17,658,218 square feet or 405.3769 acres, more or less.

Subject to existing right-of-ways and easements.

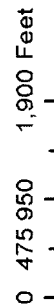
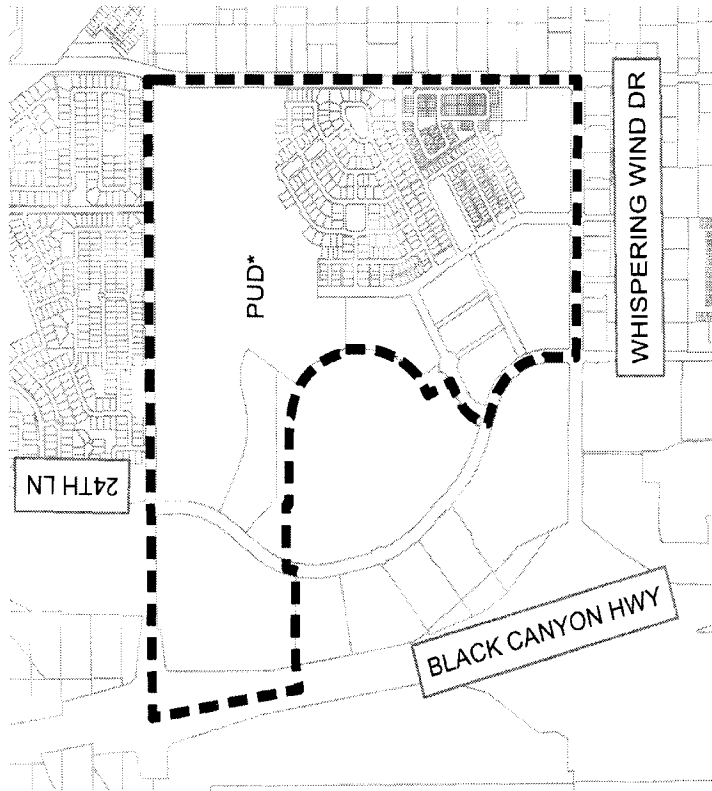
This parcel description is based on said USAA Amended Final Plat, recorded in Book 691, page 26, M.C.R. and other client provided information. This parcel description is located within an area surveyed by Wood, Patel & Associates, Inc. during the month of January, 2012. Any monumentation noted in this parcel description is within acceptable tolerance (as defined in Arizona Boundary Survey Minimum Standards dated 02/14/2002) of said positions based on said survey.

ORDINANCE LOCATION MAP

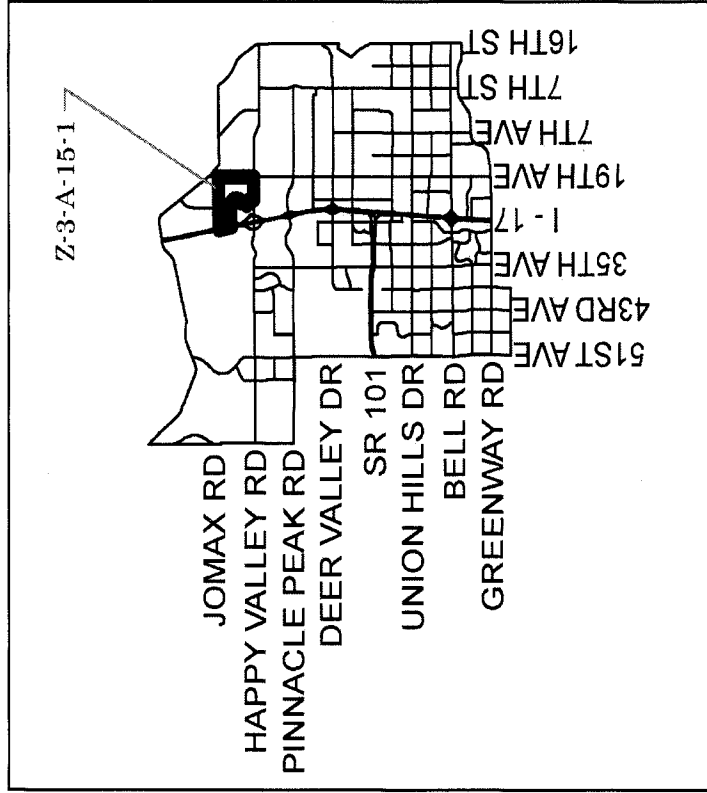
EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: - - - - -



Zoning Case Number: Z-3-A-15-1
 Zoning Overlay: N/A
 Planning Village: Deer Valley



NOT TO SCALE

Drawn Date: 1/31/2020

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