

ORDINANCE G-6170

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 (CASE Z-59-13-1) FROM RSC, C-2 (APPROVED C-2 HR), C-3, C-2, C-2 (APPROVED P-2), C-3 (APPROVED C-2), C-3 M-R, AND RSC (APPROVED RSC SP) TO PUD.

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

follows:

SECTION 1. The zoning of an approximately 130.37 acre property located approximately 605 feet south of the southeast corner of 28th Drive and Peoria Avenue in a portion of Section 26, Township 3 North, Range 2 East, as described more specifically in Attachment "A", is hereby changed from "RSC, C-2 (Approved C-2 HR), C-3, C-2, C-2 (Approved P-2), C-3 (Approved C-2), C-3 M-R, and RSC (Approved RSC SP)" to "PUD" (Planned Unit Development).

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 as shown in Attachment "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 Metrocenter 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 April 4, 2016.
2. Before any building, project or use is processed for site plan approval by the city, a shaded and segregated pedestrian circulation plan for the PUD area shall be provided detailing access to the following:
 - a) Existing and planned transit facilities.
 - b) Arizona Canal.
 - c) Cholla Library.
 - d) Dedicated open space areas.
3. Individual project site plans shall be required to incorporate or update the pedestrian circulation plan as necessary to provide access to the above locations listed in Stipulation #2, as administratively approved by the Planning and Development Director or designee. A copy of the updated pedestrian circulation plan shall be submitted to the Planning and Development Department on the second floor of Phoenix City Hall.
4. Detailed Project Sign Plans shall be in conformance with the Master Planned Development Sign Plan.
5. Prior to preliminary site plan approval, the landowner shall execute a proposition 207 waiver of claims in a form approved by the City Attorney's office. The waiver shall be recorded with the Maricopa County Recorder's office and delivered to the City to be included in the rezoning.

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 1st day of June, 2016.

Kath Gloy
ACTING MAYOR

ATTEST:

C. Meyer City Clerk



APPROVED AS TO FORM:

[Signature] Acting City Attorney

REVIEWED BY:

EO [Signature] City Manager

PL:tml:1234943v1: (CM #52) (Item #99) - 6/1/16

Attachments:

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

ATTACHMENT A

LEGAL DESCRIPTION FOR Z-59-13-1

*METROCENTER PARCELS FOR
REZONING APN'S 149-16-001A,
001B, 001C, 001D, 002A, 002B,
002C, 002E, 002F, 005, 083C,
083D, 083E, 084B, 085, 086A,
389, 401, & 412*

PARCEL NO. 1:

A parcel of land located in the East half of Section 26, Township 3 North, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

BEGINNING at the intersection of Metro Parkway East and 29th Avenue as shown on the Plat Map of Dedication for Metrocenter, recorded in Book 163 of Maps, Page 37, records of Maricopa County, Arizona, said Point of Beginning being the beginning of a curve the center of which bears North 9 degrees 2 minutes 10 seconds West 1187.50;

THENCE Westerly along the centerline of said Metro Parkway East and the arc of said curve through a central angle of 5 degrees 10 minutes 9 seconds an arc length of 107.14 feet;

THENCE South 9 degrees 53 minutes 1 seconds East 119.79 feet to the North line of the South 81 feet of Tract 8 of said Plat Map of Dedication for Metrocenter;

THENCE South 78 degrees 10 minutes 10 seconds West 295.60 feet along said South line;

THENCE South 88 degrees 44 minutes 30 seconds West 137.29 feet to the North line of the South 96 feet of said Tract 8;

THENCE South 89 degrees 22 minutes 00 seconds West 568.43 feet along said North line;

THENCE North 45 degrees 00 minutes 00 seconds West 99.73 feet to the centerline of Mission Lane as shown on said Plat Map of Dedication; THENCE South 45 degrees 03 minutes 13 seconds West 30.19 feet along said centerline to its intersection with the centerline of 31st Avenue as shown on said Plat Map of Dedication being the beginning of a non-tangent curve the center of which bears North 45 degrees 19 minutes 46 seconds 1282.00 feet;

THENCE Northerly along the centerline of said 31st Avenue and the arc of said curve through a central angle of 11 degrees 40 minutes 47 seconds an arc length of 261.34 feet to the beginning of a compound curve having a radius of 1902.00 feet;

THENCE Northerly along the centerline of said 31st Avenue and the arc of said curve through a central angle of 24 degrees 30 minutes 00 seconds an arc length of 813.31 feet to the beginning of a compound curve having a radius of 5188.71 feet;

THENCE Northerly along the centerline of said 31st Avenue and the arc of said curve through a central angle of 8 degrees 33 minutes 22 seconds an arc length of 774.84 feet;

THENCE North 1 degree 50 minutes 00 seconds East 34.90 feet along the centerline of said 31st Avenue to its intersection with the centerline of Cheryl Drive as shown on said Plat Map of Dedication and the beginning of a non-tangent curve the center of which bears North 22 degrees 03 minutes 43 seconds East 550.00 feet;

THENCE Easterly along the centerline of said Cheryl Drive and the arc of said curve through a central angle of 22 degrees 1 minute 22 seconds an arc length of 211.40 feet;

THENCE South 89 degrees 59 minutes 18 seconds East 48.59 feet along said centerline to the beginning of a non-tangent curve the center of which bears South 89 degrees 59 minutes 37 seconds East 4932.71 feet; THENCE Southerly along the arc of said curve through a central angle of 2 degrees 12 minutes 43 seconds an arc length of 190.43 feet;

THENCE North 87 degrees 47 minutes 40 seconds East 267.50 feet to the centerline of Metro Parkway West as shown on said Plat Map of Dedication and the beginning of a non-tangent curve the center of which bears North 87 degrees 47 minutes 40 seconds East 4665.21 feet;

THENCE Northerly along said centerline and the arc of said curve through a central angle of 2 degrees 12 minutes 42 seconds an arc length of 180.08 feet to its intersection with the centerline of said Cheryl Drive;

THENCE continuing along the centerline of said Metro Parkway West and along the arc of said curve through a central angle of 8 degrees 30 minutes 00 seconds an arc length of 692.10 feet to the beginning of a compound curve having a radius of 1378.50 feet;

THENCE Northerly along said centerline and along the arc of said compound curve through a central angle of 17 degrees 14 minutes 57 seconds an arc length of 415.00 feet;

THENCE South 54 degrees 18 minutes 30 seconds East 301.13 feet to the beginning of a non-tangent curve to the right the center of which bears South 44 degrees 57 minutes 54 seconds East 675.00 feet;

THENCE Easterly along the arc of said curve through a central angle of 34 degrees 58 minutes 17 seconds an arc length of 412.00 feet to the beginning of a compound curve having a radius of 1104.00 feet;

THENCE Easterly along the arc of said curve through a central angle of 7 degrees 15 minutes 30 seconds an arc length of 139.86 feet;

THENCE North 6 degrees 51 minutes 19 seconds West 410.01 feet to the beginning of a curve to the left having a radius of 22.00 feet;

THENCE Northwesterly along the arc of said curve through a central angle of 89 degrees 27 minutes 45 seconds an arc length of 34.35 feet;

THENCE North 6 degrees 19 minutes 13 seconds West 43.50 feet to the

centerline of Metro Parkway East and the beginning of a non-tangent curve the center of which bears South 6 degrees 19 minutes 13 seconds East 1187.50 feet;

THENCE Easterly along said centerline and the arc of said curve through a central angle of 5 degrees 34 minutes 40 seconds an arc length of 115.60 feet;

THENCE South 0 degrees 44 minutes 33 seconds East 43.50 feet to the beginning of a non-tangent curve the center of which bears South 0 degrees 44 minutes 33 seconds East 22.00 feet;

THENCE Southwesterly along the arc of said curve through a central angle of 96 degrees 6 minutes 46 seconds an arc length of 36.90 feet;

THENCE South 6 degrees 51 minutes 19 seconds East 558.77 feet to the beginning of a curve to the left having a radius of 24.50 feet;

THENCE Southeasterly along the arc of said curve through a central angle of 79 degrees 52 minutes 57 seconds an arc length of 34.16 feet to the beginning of a reverse curve having a radius of 936.50 feet;

THENCE Easterly along the arc of said curve through a central angle of 6 degrees 44 minutes 39 seconds an arc length of 110.23 feet to the beginning of a compound curve having a radius of 507.50 feet;

THENCE Southeasterly along the arc of said curve through a central angle of 10 degrees 27 minutes 42 seconds an arc length of 92.66 feet;

THENCE North 6 degrees 51 minutes 20 seconds West 284.01 feet;

THENCE South 63 degrees 51 minutes 19 seconds East 236.27 feet;

THENCE South 26 degrees 8 minutes 41 seconds West 44.33 feet;

THENCE South 63 degrees 51 minutes 19 seconds East 112.14 feet;

THENCE South 51 degrees 22 minutes 12 seconds East 115.98 feet;

THENCE South 55 degrees 44 minutes 19 seconds West 217.16 feet to the beginning of a non-tangent curve the center of which bears South 43 degrees 16 minutes 46 seconds West 507.50 feet;

THENCE Southeasterly along the arc of said curve through a central angle of 13 degrees 43 minutes 37 seconds an arc length of 121.59 feet to the beginning of a compound curve having a radius of 1127.50 feet;

THENCE Southeasterly along the arc of said curve through a central angle of 7 degrees 31 minutes 27 seconds an arc length of 148.06 feet to the beginning of a reverse curve having a radius of 24.50 feet;

THENCE Southeasterly along the arc of said curve through a central angle of 83 degrees 26 minutes 57 seconds an arc length of 35.68 feet;

THENCE North 71 degrees 4 minutes 53 seconds East 335.72 feet to the centerline of Metro Parkway East as shown on said Plat Map of Dedication and the beginning of a non-tangent curve the center of which bears South 81 degrees 41 minutes 12 seconds West 4665.21 feet;

THENCE Southerly along said centerline and the arc of said curve through a central angle of 0 degrees 55 minutes 49 seconds an arc length of 75.75 feet;

THENCE South 75 degrees 47 minutes 46 seconds West 521.33 feet;

THENCE South 45 degrees 0 minutes 23 seconds West 386.00 feet;

THENCE South 0 degrees 0 minutes 23 seconds West 70.00 feet;
 THENCE South 44 degrees 59 minutes 37 seconds East 35.00 feet;
 THENCE South 45 degrees 0 minutes 23 seconds West 172.00 feet;
 THENCE South 0 degrees 0 minutes 23 seconds West 46.07 feet;
 THENCE South 44 degrees 59 minutes 37 seconds East 236.82 feet;
 THENCE South 89 degrees 59 minutes 37 seconds East 46.07 feet;
 THENCE North 45 degrees 00 minutes 23 seconds East 20.00 feet;
 THENCE South 44 degrees 59 minutes 37 seconds East 15.00 feet;
 THENCE North 45 degrees 0 minutes 23 seconds East 44.15 feet;
 THENCE South 84 degrees 40 minutes 26 seconds East 640.21 feet to the centerline of Metro Parkway East as shown on said Plat Map of Dedication and the beginning of a non-tangent curve the center of which bears North 86 degrees 51 minutes 19 seconds West 4665.21 feet;
 THENCE Northerly along said centerline and the arc of said curve through a central angle of 6 degrees 31 minutes 41 seconds an arc length of 531.54 feet;
 THENCE South 90 degrees 0 minutes 0 seconds East 274.44 feet to the Westerly right of way line of Interstate 17;
 THENCE South 0 degrees 16 minutes 25 seconds West 496.01 feet along said Westerly right of way line;
 THENCE South 2 degrees 20 minutes 00 seconds West 1013.59 feet along said Westerly right of way line;
 THENCE South 3 degrees 32 minutes 36 seconds West 292.54 feet along said Westerly right of way line to the North line of property owned by Flood Control District of Maricopa County described in Judgment recorded as document number 1989-0074536, records of Maricopa County, Arizona; THENCE South 78 degrees 10 minutes 10 seconds West 454.10 feet along said North line;
 THENCE North 13 degrees 42 minutes 20 seconds West 30.03 feet to the Northeast corner of property deeded to Flood Control District of Maricopa County in Warranty Deed recorded as docket 13193, Page 1502, records of Maricopa County, Arizona;
 THENCE along the Northerly line of said deeded property the following 6 courses and distances;
 THENCE South 78 degrees 10 minutes 10 seconds West 60.00 feet;
 THENCE South 11 degrees 49 minutes 50 seconds East 20.00 feet;
 THENCE South 78 degrees 10 minutes 10 seconds West 260.00 feet;
 THENCE South 89 degrees 47 minutes 45 seconds West 101.73 feet;
 THENCE North 9 degrees 1 minute 53 seconds West 54.56 feet;
 THENCE South 78 degrees 10 minutes 10 seconds West 107.62 feet to the centerline of 29th Avenue as shown on said Plat Map of Dedication; THENCE North 9 degrees 1 minute 53 seconds West 69.75 feet along said centerline to the POINT OF BEGINNING.

Comprising 128.203 acres more or less, subject to all easements of record.

PARCEL NO. 2:

Lot 5, FINAL PLAT OF PREMIER METRO 2011, recorded in Book 1095 of Maps, Page 27, records of Maricopa County, Arizona.

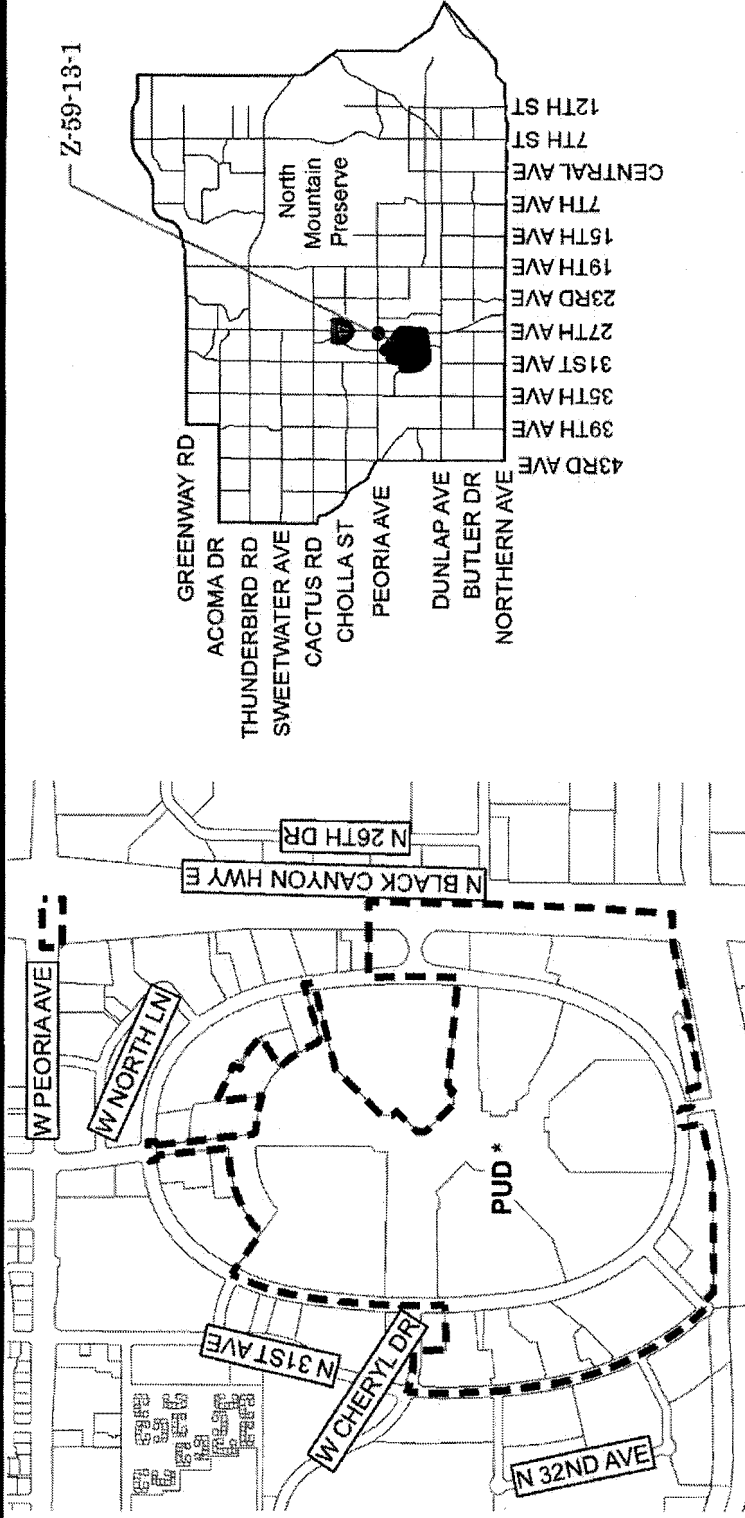
Comprising 0.010 acres more or less, subject to all easements of record.

ATTACHMENT B

ORDINANCE LOCATION MAP

Zoning Case Number: Z-59-13-1
 Zoning Overlay: N/A
 Planning Village: North Mountain

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



NOT TO SCALE



Drawn Date: 5/5/2016

S:\Department Share\Information Systems\PL GIS\IS_Team\Core_Functions\Zoning\SuppMaps_OrdMaps\2016 Ord\6_1_16\Z-59-13-1.mxd