

ORDINANCE G-7175

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-69-22-6) FROM CP/GCP (COMMERCE PARK/GENERAL COMMERCE PARK OPTION) TO PUD (PLANNED UNIT DEVELOPMENT).

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

follows:

SECTION 1. The zoning of an approximately 29.74 acre property located approximately 1,300 feet north of the northeast corner of 50th Street and Chandler Boulevard in a portion of Section 29, Township 1 South, Range 4 East, as described more specifically in Exhibit "A," is hereby changed from "CP/GCP" (Commerce Park/General Commerce Park option) 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 change as shown in Exhibit "B."

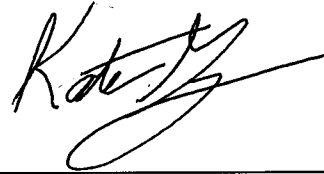
SECTION 3. Due to the site's specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1. An updated Development Narrative for the Converge Logistics Center PUD reflecting the changes approved through this request shall be submitted to the Planning Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with Development Narrative date stamped August 11, 2023, as modified by the following stipulations.
 - a. Update title page with the City Council adoption date.
 - b. Page 8, C. List of Uses, 1. Permitted Uses: Update bullet point b. to "The basic processing and compounding of pharmaceuticals, vitamins, or dietary supplements."
 - c. Page 8. C. List of Uses, 1. Permitted Uses: Update bullet point c. to state the following: All manufacturing is conducted entirely within an enclosed building and the portion of the building devoted to the use is located more than 100 feet from a residential district.
 - d. Page 8. C. List of Uses, 3. Accessory Uses: Delete bullet point b. Semi-trailer outdoor storage.
 - e. Page 10. D. Development Standards, Landscape Standards Table: Update Perimeter Property Lines-South, and West to "Evergreen shrubbery at 4 feet on center which will achieve a minimum 12-foot height upon full maturation."
 - f. Page 10. D. Development Standards, 3. Shade: Add the following sentence: "Minimum 75% shading of all internal pedestrian walkways by means of vegetation at maturity and/or shade structures if the Electronics Manufacturing use is added to the Project."

9. Within 60 days of City Council 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.

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 October, 2023.



MAYOR

10/6/2023

Date

ATTEST:



Denise Archibald, City Clerk



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

By: DBenton

David Benton, Chief Counsel

P ml

REVIEWED BY:

JB
Jeffrey Barton, City Manager

PML:ac:(LF23-2313):10-4-23:2400326_1.doc

Exhibits:

- A – Legal Description (3 Pages)
- B – Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR Z-69-22-6

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MARICOPA, STATE OF ARIZONA, AND IS DESCRIBED AS FOLLOWS:

A PORTION OF THE WEST HALF OF SECTION 29, TOWNSHIP 1 SOUTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 29;

THENCE NORTH 89°34'58" EAST ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 29, A DISTANCE OF 1323.63 FEET TO THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 20 AND THE TRUE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL;

THENCE NORTH 0°17'26" WEST, A DISTANCE OF 377.54 FEET;

THENCE NORTH 89°36'45" EAST, A DISTANCE OF 1024.08 FEET TO A POINT ON THE WEST LINE OF AN EASEMENT FOR HIGHWAY PURPOSES AS RECORDED IN DOCKET 5436, PAGE 170, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE SOUTH 0°13'04" EAST ALONG THE WEST LINE OF SAID EASEMENT A DISTANCE OF 377.02 FEET TO A POINT ON THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 29;

THENCE SOUTH 0°14'22" EAST, ALONG THE WEST LINE OF SAID EASEMENT A DISTANCE OF 1325.89 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 29;

THENCE SOUTH 89°36' 45" WEST ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 29, A DISTANCE OF 1022.42 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 29;

THENCE NORTH 0°17'26" WEST ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 29, A DISTANCE OF 1325.37 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPT THAT PORTION OF THE WEST HALF OF SECTION 29, TOWNSHIP 1 SOUTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE WEST QUARTER CORNER OF SAID SECTION 29;

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THENCE NORTH 89 DEGREES 34 MINUTES 58 SECONDS EAST ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 29, A DISTANCE OF 1323.63 FEET TO THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 29, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING;

THENCE NORTH 00 DEGREES 17 MINUTES 26 SECONDS WEST, A DISTANCE OF 377.54 FEET;

THENCE NORTH 89 DEGREES 36 MINUTES 45 SECONDS EAST, A DISTANCE OF 1024.08 FEET TO A POINT ON THE WEST LINE OF AN EASEMENT FOR HIGHWAY PURPOSES AS RECORDED IN DOCKET 5436, PAGE 170, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE SOUTH 00 DEGREES 13 MINUTES 04 SECONDS EAST ALONG THE WEST LINE OF SAID EASEMENT, A DISTANCE OF 377.02 FEET TO A POINT ON THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 29;

THENCE SOUTH 00 DEGREES 14 MINUTES 22 SECONDS EAST ALONG THE WEST LINE OF SAID EASEMENT, A DISTANCE OF 50.33 FEET;

THENCE SOUTH 89 DEGREES 34 MINUTES 58 SECONDS WEST ALONG A LINE PARALLEL WITH THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 29, A DISTANCE OF 1023.56 FEET TO A POINT ON THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 29;

THENCE NORTH 00 DEGREES 17 MINUTES 25 SECONDS WEST ALONG SAID WEST LINE, A DISTANCE OF 50.33 FEET TO THE TRUE POINT OF BEGINNING, AND EXCEPT THAT PORTION IN FINAL ORDER OF CONDEMNATION CASE NO CV2000-016472, RECORDED NOVEMBER 27, 2001 IN DOCUMENT NO 2001-1104282 DESCRIBED AS FOLLOWS:

FOR STATE HIGHWAY PURPOSES, AN ESTATE IN FEE IN AND TO THAT CERTAIN PARCEL OF REAL PROPERTY SITUATED IN MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

THAT PORTION OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 1 SOUTH, RANGE 4 EAST, GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, WHICH LIES WITHIN THE TRACT DESCRIBED BELOW:

COMMENCING AT A 1 /2 INCH PIPE MARKING THE SOUTH QUARTER CORNER OF SAID SECTION 29, FROM WHICH A HANDHOLE WITHOUT A MONUMENT MARKING THE SOUTHEAST CORNER OF SAID SECTION 29 BEARS SOUTH 89° 38' 08" EAST 2639.36 FEET, AND ALSO FROM WHICH A RAILROAD SPIKE

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MARKING THE SOUTHWEST CORNER OF SAID SECTION 29 BEARS SOUTH 89° 41° 18" WEST 2642.61 FEET;

THENCE ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 29, SOUTH 89° 41° 18" WEST 150.00 FEET TO THE MEDIAN CONSTRUCTION CENTERLINE OF INTERSTATE HIGHWAY 10 (PHOENIX-CASA GRANDE HIGHWAY);

THENCE ALONG SAID MEDIAN CONSTRUCTION CENTERLINE NORTH 0° 00° 38" WEST 0.56 FEET; THENCE CONTINUING ALONG SAID MEDIAN CONSTRUCTION CENTERLINE NORTH 0° 11° 05" WEST 2202.05 FEET (RECORD) NORTH 0° 06° 30" WEST 2215.06 FEET (MEASURED);

THENCE LEAVING SAID MEDIAN CONSTRUCTION CENTERLINE SOUTH 89° 48° 55" WEST 150.00 FEET (RECORD) NORTH 89° 53° 30" 162.78 FEET (MEASURED) TO THE EXISTING WEST RIGHT OF WAY LINE OF SAID INTERSTATE HIGHWAY 10 AND THE POINT OF BEGINNING;

THENCE LEAVING SAID EXISTING WEST RIGHT OF WAY LINE SOUTH 3° 26° 09° WEST 878.85 FEET TO THE SOUTH LINE OF SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 29;

THENCE ALONG SAID SOUTH LINE NORTH 89° 39° 17" EAST 55.50 FEET TO SAID EXISTING WEST RIGHT OF WAY LINE OF INTERSTATE HIGHWAY 10;

THENCE ALONG SAID EXISTING WEST RIGHT OF WAY LINE NORTH 0° 11° 05" WEST 876.94 FEET TO THE POINT OF BEGINNING;

AND EXCEPT THAT PORTION LYING WITHIN MAP OF DEDICATION FOR AHWA TU KEE FOOTHILLS POWER CENTER RECORDED IN BOOK 425 OF MAPS, PAGE 33 AND AFFIDAVIT OF CORRECTION RECORDED MARCH 21, 1997 IN RECORDING NO. 97-0183222. APN: 301-84-002F

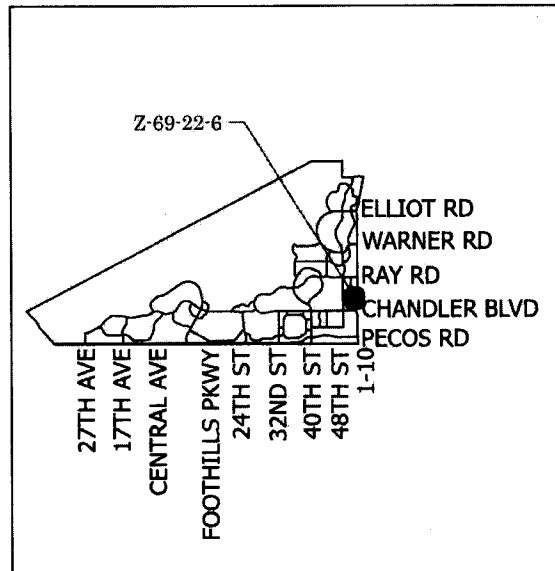
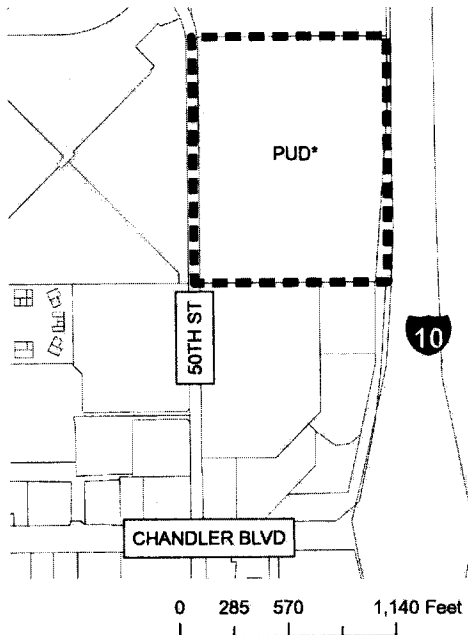
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ORDINANCE LOCATION MAP

EXHIBIT B

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

Zoning Case Number: Z-69-22-6
Zoning Overlay: N/A
Planning Village: Ahwatukee Foothills



NOT TO SCALE



Drawn Date: 9/13/2023

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