

ORDINANCE NO. 22-22

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MARICOPA, ARIZONA, APPROVING AND ADOPTING AN AMENDMENT TO THE CITY'S ZONING MAP TO REZONE APPROXIMATELY 28.3 ACRES OF LAND GENERALLY LOCATED AT THE SOUTHEAST CORNER OF N. JOHN WAYNE PARKWAY AND W BOWLIN ROAD, WITHIN THE CITY OF MARICOPA INCORPORATED LIMITS, FROM GENERAL MIXED USE (MU-G) AND TRANSITIONAL (TR) TO PLANNED AREA DEVELOPMENT (PAD) AS DESCRIBED IN ZONING CASE #PAD 22-03. THE PARCEL OF LAND IS LOCATED IN A PORTION OF SECTION 34, TOWNSHIP 4 SOUTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, PINAL COUNTY, ARIZONA.

WHEREAS, on November 4, 2014, the City adopted as a public record a new zoning code as part of the Maricopa City Code, which has been amended from time to time; and

WHEREAS, City staff initiated a Public Participation Plan to inform residents of the proposed rezoning of approximately 28.3 acres from MU-G (General Mixed Use) and TR (Transitional) to PAD (Planned Area Development), which included a neighborhood meeting, notification letters to nearby property owners, public notice signs, and legal notices as required by law; and

WHEREAS, the City's Planning and Zoning Commission held a public hearing on August 22, 2022 in zoning case #PAD 22-03, in the manner prescribed by law for the purpose of amending the City Zoning Map to rezone the subject property.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Maricopa, Arizona as follows:

Section 1. That the Maricopa Zoning Map is hereby amended by changing the property described in Exhibit A on approximately 28.3 acres from MU-G (General Mixed Use) and TR (Transitional) to PAD (Planned Area Development). The Development Services Department shall amend the Zoning Map to reflect this amendment and a copy shall remain on file in the office of the City Clerk of the City of Maricopa for examination by the public.

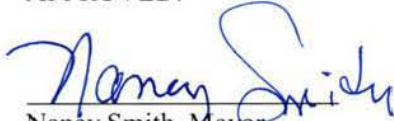
Section 2. Further, those conditions of approval imposed by the Maricopa City Council as part of zoning case PAD 22-03 are hereby expressly incorporated into and adopted as part of this Ordinance by this reference.

Section 3. To the extent of any conflict between other City Ordinances and this Ordinance, this Ordinance shall be deemed to be controlling; provided, however, that this Ordinance is not intended to amend or repeal any existing City Ordinance, Resolution or regulation except as expressly set forth herein.


Section 4. This Ordinance shall become effective thirty (30) days from the date of adoption by the City Council for the City of Maricopa.

PASSED AND ADOPTED by the Mayor and City Council of the City of Maricopa, Arizona this 20th day of September, 2022.

APPROVED:


Nancy Smith, Mayor

ATTEST:


Vanessa Bueras, MMC
City Clerk



APPROVED AS TO FORM:

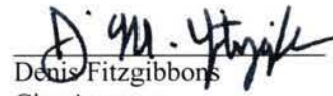

Denis Fitzgibbons
City Attorney

EXHIBIT A

LEGAL DESCRIPTION

A PARCEL OF LAND AS SHOWN ON THE MAP OF DEDICATION FOR THE MARICOPA AQUATIC CENTER AND REGIONAL PARK AS RECORDED IN FEE NO. 2014-053174 P.C.R.

A PORTION OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 4 SOUTH, RANGE 3 EAST OF THE GILA AND SALT RIVER MERIDIAN, PINAL COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 34, FROM WHICH THE NORTH QUARTER CORNER BEARS S 89°54'45" E (BASIS OF BEARINGS), A DISTANCE OF 2649.53 FEET AS SHOWN ON THE MAP OF DEDICATION (M.O.D.) FOR MARICOPA AQUATIC CENTER AND REGIONAL PARK RECORDED IN FEE NUMBER 2014-053174, PINAL COUNTY RECORDS (P.C.R.);

THENCE S 89°54'45" E ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 762.66 FEET TO THE POINT OF INTERSECTION OF SAID NORTH LINE AND THE CENTERLINE OF GREYTHORN DRIVE AS SHOWN ON SAID M.O.D.;

THENCE CONTINUING S 89°54'45" E ALONG SAID NORTH LINE, A DISTANCE OF 70.47 FEET;

THENCE DEPARTING PERPENDICULAR TO SAID NORTH LINE, S 00°05'15" W, A DISTANCE OF 55.00 FEET TO THE SOUTHERLY RIGHT OF LINE OF BOWLIN ROAD, ALSO BEING THE **POINT OF BEGINNING**;

THENCE S 89°54'45" E ALONG SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 758.03 FEET;

THENCE S 49°07'01" E ALONG SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 27.72 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF MARTIN LUTHER KING JR. BLVD. AND THE BEGINNING OF A CURVE;

THENCE SOUTHWESTERLY ALONG SAID NORTHERLY RIGHT OF WAY AND SAID CURVE, HAVING A RADIUS OF 260.00 FEET, CONCAVE NORTHWESTERLY, THROUGH A CENTRAL ANGLE OF 83°55'04", AN ARC LENGTH OF 380.81' TO A POINT OF REVERSE CURVATURE;

THENCE CONTINUING SOUTHWESTERLY ALONG SAID NORTHERLY RIGHT OF WAY AND SAID CURVE, HAVING A RADIUS OF 512.00 FEET, CONCAVE SOUTHERLY, THROUGH A CENTRAL ANGLE OF 41°56'36", AN ARC LENGTH OF 374.81 FEET;

THENCE N 89°21'16" W A DISTANCE OF 21.25 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF GREYTHORN DRIVE AND THE BEGINNING OF A CURVE;

THENCE NORTHERLY ALONG SAID EASTERLY RIGHT OF WAY AND SAID CURVE, HAVING A RADIUS OF 710.00 FEET, CONCAVE EASTERLY, THROUGH A CENTRAL ANGLE OF 34°28'13", AN ARC LENGTH OF 427.15 FEET;

THENCE N 45°02'01" E, CONTINUING ALONG SAID EASTERLY RIGHT OF WAY, A DISTANCE OF 31.06 FEET TO THE **POINT OF BEGINNING**.

EXHIBIT "A"

LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 4 SOUTH, RANGE 3 EAST OF THE GILA RIVER AND SALT RIVER MERIDIAN, CITY OF MARICOPA, PINAL COUNTY, ARIZONA AND BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 34 (CALCULATED) FROM WHICH POINT THE WEST QUARTER CORNER THEREOF (CALCULATED) BEARS $S0^{\circ}06'46''E$ A DISTANCE OF 2631.66 FEET;

THENCE $S89^{\circ}54'44''E$, ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 128.84 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF JOHN WAYNE PARKWAY (SR 347) BEING THE **POINT OF BEGINNING**;

THENCE $S89^{\circ}54'44''E$, CONTINUING ALONG SAID NORTH LINE OF THE NORTHWEST QUARTER, A DISTANCE OF 169.71 FEET TO THE INTERSECTION WITH THE SOUTH RIGHT-OF-WAY LINE OF BOWLIN ROAD BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT FROM WHICH POINT THE RADIUS POINT BEARS $S22^{\circ}47'46''W$;

THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES AND DISTANCES:

- 1) 13.33 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 445.00 FEET, A CENTRAL ANGLE OF $1^{\circ}42'59''$ AND A CHORD BEARING $S66^{\circ}20'44''E$ TO A POINT OF REVERSE CURVATURE;
- 2) 236.59 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 555.00 FEET, A CENTRAL ANGLE OF $24^{\circ}25'30''$ AND A CHORD BEARING $S77^{\circ}41'59''E$;
- 3) $S89^{\circ}54'44''E$ A DISTANCE OF 187.05 FEET TO THE INTERSECTION WITH THE WEST RIGHT-OF-WAY LINE OF GREYTHORN DRIVE AND BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT FROM WHICH POINT THE RADIUS POINT BEARS $N83^{\circ}11'41''E$;

THENCE 346.12 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT AND SAID WEST RIGHT-OF-WAY LINE, HAVING A RADIUS OF 790.00 FEET, A CENTRAL ANGLE OF $25^{\circ}05'10''$ AND A CHORD BEARING $S19^{\circ}21'24''E$;

THENCE $S40^{\circ}10'10''W$ A DISTANCE OF 310.92 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT FROM WHICH POINT THE RADIUS POINT BEARS $N49^{\circ}35'34''W$;

THENCE 53.27 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 174.00 FEET, A CENTRAL ANGLE OF $17^{\circ}32'32''$ AND A CHORD BEARING $S49^{\circ}10'42''W$;

THENCE $S0^{\circ}40'30''E$ A DISTANCE OF 29.75 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT FROM WHICH POINT THE RADIUS POINT BEARS $N27^{\circ}36'32''W$;

THENCE 94.33 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 200.00 FEET, A CENTRAL ANGLE OF $27^{\circ}01'27''$ AND A CHORD BEARING $S75^{\circ}54'12''W$;

THENCE $S89^{\circ}24'55''W$ A DISTANCE OF 372.77 FEET TO A POINT ON SAID EAST RIGHT-OF-WAY LINE OF JOHN WAYNE PARKWAY (SR 347);

THENCE $N0^{\circ}40'56''W$, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 708.50 FEET TO THE **POINT OF BEGINNING**.

EXHIBIT A

LEGAL DESCRIPTION

LOTS 1 AND 2 OF COPPER SKY AS SHOWN ON RECORD OF SURVEY LOT SPLIT MAP RECORDED IN
FEE NO. 2019-025093 P.C.R.

LOT 1 LEGAL DESCRIPTION

A PARCEL OF LAND LYING WITHIN THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 4 SOUTH, RANGE 3 EAST, OF THE GILA RIVER MERIDIAN, PINAL COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 34, A PK NAIL WITH NO IDENTIFICATION, FROM WHICH THE WEST QUARTER CORNER OF SAID SECTION, A PK NAIL WITH NO IDENTIFICATION, BEARS SOUTH 00°06'47" EAST, (BASIS OF BEARING), A DISTANCE OF 2631.62 FEET;

THENCE ALONG THE WEST LINE OF SAID SECTION, SOUTH 00°06'47" EAST, A DISTANCE OF 1363.63 FEET;

THENCE LEAVING SAID WEST LINE, NORTH 89°53'13" EAST, A DISTANCE OF 132.41 FEET, TO THE SOUTHERLY RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR BLVD;

THENCE ALONG SAID SOUTHERLY RIGH-OF-WAY LINE, NORTH 89°19'29" EAST, A DISTANCE OF 127.02 FEET TO THE **POINT OF BEGINNING**;

THENCE NORTH 89°19'29" EAST, A DISTANCE OF 342.67 FEET, TO THE BEGINNING OF A CURVE;

THENCE NORTHEASTERLY ALONG SAID CURVE TO THE LEFT, HAVING A RADIUS OF 340.00 FEET, CONCAVE NORTHEASTERLY, THROUGH A CENTRAL ANGLE OF 46°36'03" A DISTNACE OF 276.54 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT CURVE;

THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE, SOUTHEASTERLY ALONG SAID NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 366.50 FEET, CONCAVE SOUTHEASTERLY, WHOSE RADIUS BEARS 36°17'39" WEST, THROUGH A CENTRAL ANGLE OF 53°48'12", A DISTANCE OF 344.16 FEET;

THENCE SOUTH 00°05'51" WEST, A DISTANCE OF 265.60 FEET;

THENCE SOUTH 90°00'00" WEST, A DISTANCE OF 50.00 FEET;

THENCE SOUTH 00°05'51" WEST, A DISTANCE OF 50.00 FEET;

THENCE SOUTH 90°00'00" WEST, A DISTANCE OF 395.97 FEET;

THENCE NORTH 00°00'26" EAST, A DISTANCE OF 201.00 FEET;

THENCE SOUTH 90°00'00" WEST, A DISTANCE OF 180.99 FEET;

THENCE NORTH 81°07'02" WEST, A DISTANCE OF 117.20 FEET;

THENCE NORTH 90°00'00" WEST, A DISTANCE OF 63.40 FEET;

THENCE NORTH 00°40'57" WEST, A DISTANCE OF 39.62 FEET; TO A POINT OF INTERSECTION WITH A NON-TANGENT CURVE;

THENCE NORTHERLY ALONG SAID NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 84.00 FEET, CONCAVE EASTERLY, WHOSE RADIUS BEARS NORTH 89°15'03" EAST, THROUGH A CENTRAL ANGLE OF 30°04'25", A DISTANCE OF 44.09 FEET, TO A POINT OF INTERSECTION WITH NON-TANGENT LINE;

THENCE NORTH 29°18'05" EAST, A DISTANCE OF 90.51 FEET, TO A POINT OF INTERSECTION WITH A NON-TANGENT CURVE;

THENCE NORHTERLY ALONG SAID NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 100.00 FEET, CONCAVE WEST, WHOSE RADIUS BEARS NORTH 58°14'40" WEST, THROUGH A CENTRAL ANGLE OF 34°36'37", A DISTANCE OF 60.41 FEET, TO A POINT OF INTERSECTION WITH A NON-TANGENT LINE;

THENCE NORTH 00°40'57" WEST, A DISTANCE OF 60.80 FEET, TO THE **POINT OF BEGINNING**.

LOT 2 LEGAL DESCRIPTION

A PARCEL OF LAND LYING WITHIN THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 4 SOUTH, RANGE 3 EAST, OF THE GILA AND SALT RIVER MERIDIAN, PINAL COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 34, A PK NAIL WITH NO IDENTIFICATION, FROM WHICH THE WEST QUARTER CORNER OF SAID SECTION, A PK NAIL WITH NO IDENTIFICATION, BEARS SOUTH 00°06'47" EAST, (BASIS OF BEARING) A DISTANCE OF 2631.62 FEET;

THENCE ALONG THE WEST LINE OF SAID SECTION, SOUTH 00°06'47" EAST, A DISTANCE OF 1363.63 FEET;

THENCE LEAVING SAID WEST LINE, NORTH 89°53'13" EAST, A DISTANCE OF 132.41 FEET, TO THE SOUTHERLY RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. BLVD AND THE **POINT OF BEGINNING**;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, NORTH 89°19'29" EAST, A DISTANCE OF 127.02 FEET;

THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE, SOUTH 00°40'57" EAST, A DISTANCE OF 60.80 FEET, TO A POINT OF INTERSECTION WITH A NON-TANGENT CURVE;

THENCE SOUTHERLY ALONG SAID NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 100.00 FEET, CONCAVE WEST, WHOSE RADIUS BEARS SOUTH 87°08'43" WEST, THROUGH A CENTRAL ANGLE OF 34°36'37", A DISTANCE OF 60.41 FEET;

THENCE SOUTH 29°18'05" WEST, DISTANCE OF 90.51 FEET, TO A POINT OF INTERSECTION WITH A NON-TANGENT CURVE;

THENCE SOUTHERLY ALONG SAID NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 84.00 FEET, CONCAVE EASTERLY, WHOSE RADIUS BEARS SOUTH 60°40'32" EAST, THROUGH A CENTRAL ANGLE OF 30°04'25", A DISTANCE OF 44.09 FEET;

THENCE SOUTH 00°40'57" EAST, A DISTANCE OF 182.73 FEET;

THENCE SOUTH 10°05'12" EAST, A DISTANCE OF 102.58 FEET;

THENCE NORTH 90°00'00" EAST, A DISTANCE OF 340.50 FEET;

THENCE NORTH 00°00'26" EAST, A DISTANCE OF 25.00 FEET;

THENCE NORTH 90°00'00" EAST, A DISTANCE OF 395.97 FEET;

THENCE NORTH 00°05'51" EAST, A DISTANCE OF 50.00 FEET;

THENCE NORTH 90°00'00" EAST, A DISTNACE OF 50.00 FEET;

THENCE NORTH 00°05'51" EAST, A DISTANCE OF 265.60 FEET, TO THE BEGINNING OF A CURVE;

THENCE NORTHWESTERLY ALONG SAID CURVE TO THE LEFT, HAVING A RADIUS OF 366.50 FEET, CONCAVE SOUTHWESTERLY, THROUGH A CENTRAL ANGLE OF 53°48'12", A DISTANCE OF 344.16 FEET, TO SAID SOUTHERLY RIGHT-OF-WAY LINE AND A POINT OF INTESECTION WITH A NON-TANGENT CURVE;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, NORTHERLY ALONG SAID NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 340.00 FEET, CONCAVE WESTERLY, WHOSE RADIUS BEARS NORTH 47°16'34" WEST, THROUGH A CENTRAL ANGLE OF 42°43'26", A DISTANCE OF 253.53 FEET;

THENCE NORTH 00°00'00" EAST, A DISTANCE OF 191.41 FEET, TO THE BEGINNING OF A CURVE;

THENCE NORTHEASTERLY ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 432.00 FEET, CONCAVE SOUTHEASTERLY, THROUGHT A CENTRAL ANGLE OF 32°50'56", A DISTANCE OF 247.68 FEET, TO A POINT OF INTERSECTION WITH A NON-TANGENT LINE;

THENCE NORTH 82°08'28" EAST, A DISTANCE OF 19.96 FEET;

THENCE SOUTH 49°33'42" EAST, A DISTANCE OF 1.92 FEET;

THENCE NORTH 40°26'18" EAST, A DISTANCE OF 80.00 FEET;

THENCE NORTH 49°33'42" EAST, A DISTANCE OF 2.32 FEET;

THENCE NORTH 01°33'05" WEST, A DISTANCE OF 20.07 FEET, TO A POINT OF INTERSECTION WITH A NON-TANGENT CURVE;

THENCE NORTHEASTERLY ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 432.00 FEET, CONCAVE SOUTHESTERLY, WHOSE RADIUS BEARS SOUTH 42°32'47" EAST, THROUGH A CENTRAL ANGLE OF 41°04'11", A DISTANCE OF 309.66 FEET, TO A POINT OF COMPOUND CURVATURE;

THENCE NORTHEASTERLY ALONG SAID COMPOUND CURVE TO THE LEFT, HAVING A RADIUS OF 340.00 FEET, CONCAVE NORTHWEST, THROUGH A CENTRAL ANGLE OF 84°25'45", A DISTANCE OF 501.01 FEET, TO A POINT OF INTERSECTION WITH A NON-TANGENT LINE;

THENCE NORTH 45°02'01" EAST, A DISTANCE OF 30.22 FEET, TO THE SOUTH RIGHT-OF-WAY LINE OF BOWLIN ROAD;

THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE, ALONG SAID RIGHT-OF-WAY LINE, SOUTH 89°54'45" EAST, A DISTANCE OF 936.00 FEET, TO THE NORTH-SOUTH MID-SECTION LINE OF SAID SECTION 34;

THENCE LEAVING SAID SOUTH RIGHT-OF-WAY LINE, ALONG SAID NORTH-SOUTH MID-SECTION LINE, SOUTH 00°10'07" WEST, DISTANCE OF 2,578.73 FEET, TO THE CENTER OF SAID SECTION 34;

THENCE LEAVING SAID NORTH-SOUTH MID SECTION LINE, ALONG THE EAST-WEST MID SECTION LINE OF SAID SECTION 34, NORTH 89°52'06" WEST, A DISTANCE OF 2,491.57 FEET, TO THE EAST RIGHT-OF-WAY LINE JOHN WAYNE PARKWAY;

THENCE LEAVING SAID EAST-WEST MID SECTION LINE, ALONG SAID EAST RIGHT-OF-WAY LINE, NORTH 00°45'57" WEST, A DISTANCE OF 1,268.76 FEET, TO THE **POINT OF BEGINNING**.