

ORDINANCE NO. 23-12

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF MARICOPA, ARIZONA, APPROVING AND ADOPTING AN AMENDMENT TO THE CITY'S ZONING MAP TO REZONE APPROXIMATELY 19 ACRES OF LAND GENERALLY LOCATED AT THE NORTHEAST CORNER OF W. HONEYCUTT AVE. AND N. JOHN WAYNE PKWY., WITHIN THE CITY OF MARICOPA INCORPORATED LIMITS, ON PINAL COUNTY PARCELS 510-25-009R, 510-25-009P AND A PORTION OF PARCEL 510-25-009Q, FROM GENERAL BUSINESS (CB-2) AND LIGHT INDUSTRY/WAREHOUSE (CI-1) TO SHOPPING CENTER (SC) AS DESCRIBED IN ZONING CASE #ZON 23-01. THE PARCEL OF LAND IS LOCATED IN A PORTION OF SECTION 27, 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, the City initiated a Public Participation Plan to inform residents of the proposed rezoning of approximately 19 acres from General Business (CB-2) and Light Industry/Warehouse (CI-1) to Shopping Center (SC), 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 March 28, 2023 in zoning case #ZON 23-01, 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 19 acres from General Business (CB-2) and Light Industry/Warehouse (CI-1) to Shopping Center (SC). 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 ZON 23-01 are hereby expressly incorporated into and adopted as part of this Ordinance by this reference.

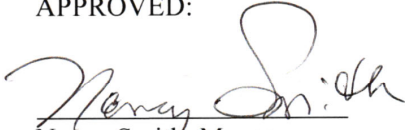
Section 3. To the extent of any conflict between other City Ordinances and this Ordinance, this Ordinance shall be deemed to be controlling; provided, however, that this Ordinance is not intended to amend or repeal any existing City Ordinance, Resolution or regulation except as expressly set forth herein.

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 4th day of April, 2023.

APPROVED:


Nancy Smith, Mayor

ATTEST:


Vanessa Bueras, MMC
City Clerk



APPROVED AS TO FORM:

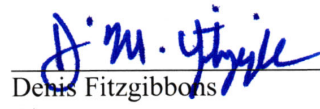

Denis Fitzgibbons
City Attorney

EXHIBIT A
Legal Description

ORD23-12 LEGAL DESCRIPTIONS:

PINAL COUNTY PARCEL 510-25-009R

A PORTION OF THE WEST HALF OF SECTION 27, TOWNSHIP 4 SOUTH, RANGE 3 EAST OF THE GILA AND SALT RIVER MERIDIAN, PINAL COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A IRON PIPE AT THE WEST QUARTER CORNER OF SAID SECTION 27, FROM WHICH A ADOT BRASS CAP IN HAND HOLE AT THE NORTHWEST CORNER OF SAID SECTION 27 BEARS NORTH 0 DEGREES 31 MINUTES 53 SECONDS WEST, 2628.85 FEET;

THENCE ALONG THE EAST-WEST MID-SECTION LINE OF SAID SECTION 27, SOUTH 89 DEGREES 50 MINUTES 59 SECONDS EAST, 1167.08 FEET;

THENCE SOUTH 32 DEGREES 05 MINUTES 24 SECONDS EAST, 96.21 FEET TO THE POINT OF BEGINNING AND TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHEAST, FROM WHICH THE RADIUS POINT BEARS NORTH 49 DEGREES 24 MINUTES 00 SECONDS EAST A DISTANCE OF 325.08 FEET;

THENCE NORTHWESTERLY 231.47 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 40 DEGREES 47 MINUTES 48 SECONDS;

THENCE ON A NON-TANGENT LINE NORTH 0 DEGREES 12 MINUTES 06 SECONDS EAST, 127.16 FEET TO THE BEGINNING OF A CURVE, CONCAVE SOUTHEAST, HAVING A RADIUS OF 325.00 FEET;

THENCE NORTHEASTERLY 213.26 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 37 DEGREES 35 MINUTES 48 SECONDS;

THENCE ON A NON-TANGENT LINE NORTH 52 DEGREES 12 MINUTES 04 SECONDS WEST, 637.06 FEET TO THE BEGINNING OF A CURVE, CONCAVE SOUTHWEST, HAVING A RADIUS OF 600.00 FEET;

THENCE NORTHWESTERLY 284.18 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 27 DEGREES 08 MINUTES 15 SECONDS;

THENCE ON A NON-TANGENT LINE NORTH 0 DEGREES 01 MINUTES 58 SECONDS WEST, 40.21 FEET;

THENCE NORTH 5 DEGREES 20 MINUTES 43 SECONDS EAST, 298.75 FEET;

THENCE NORTH 0 DEGREES 01 MINUTES 58 SECONDS WEST, 204.58 FEET;

THENCE SOUTH 53 DEGREES 53 MINUTES 06 SECONDS EAST, 1047.66 FEET;

THENCE SOUTH 41 DEGREES 39 MINUTES 07 SECONDS EAST, 276.79 FEET;

THENCE SOUTH 53 DEGREES 53 MINUTES 06 SECONDS EAST, 216.15 FEET;

THENCE SOUTH 36 DEGREES 06 MINUTES 54 SECONDS WEST, 785.30 FEET TO THE POINT OF BEGINNING.

PINAL COUNTY PARCEL 510-25-009p

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 4 SOUTH RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, PINAL COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 27 FROM WHENCE THE NORTHWEST CORNER LIES NORTH 00 DEGREES 09 MINUTES 10 SECONDS WEST, A DISTANCE OF 2628.84 FEET;

THENCE ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 27, NORTH 00 DEGREES 09 MINUTES 10 SECONDS WEST, A DISTANCE OF 540.50 FEET;

THENCE DEPARTING SAID LINE, NORTH 89 DEGREES 50 MINUTES 50 SECONDS EAST, A DISTANCE OF 420.92 FEET TO A POINT COINCIDENT WITH THE EASTERLY RIGHT OF WAY LINE OF STATE HIGHWAY 347 ACCORDING TO "RIGHT OF WAY PLANS OF THE MARICOPA ROAD MARICOPA UNION PACIFIC CROSSING" ON FILE WITH THE ARIZONA DEPARTMENT OF TRANSPORTATION IN PROJECT NUMBER 347 PN 172 H7007 WITH A DRAWING NUMBER OF D-11-T-497, SAID POINT BEING THE POINT OF BEGINNING;

THENCE ALONG SAID RIGHT OF WAY LINE, NORTH 00 DEGREES 02 MINUTES 45 SECONDS EAST, A DISTANCE OF 316.72 FEET;

THENCE CONTINUE ALONG SAID RIGHT OF WAY LINE, SOUTH 89 DEGREES 57 MINUTES 15 SECONDS EAST, A DISTANCE OF 30.00 FEET;

THENCE CONTINUE ALONG SAID RIGHT OF WAY LINE, NORTH 00 DEGREES 02 MINUTES 45 SECONDS EAST, A DISTANCE OF 100.36 FEET TO THE POINT OF CURVE OF A NON TANGENT CURVE TO THE RIGHT, OF WHICH THE RADIUS POINT LIES SOUTH 10 DEGREES 44 MINUTES 25 SECONDS WEST, A RADIAL DISTANCE OF 600.00 FEET, SAID POINT ALSO BEING COINCIDENT WITH THE SOUTHWESTERLY CORNER OF THE PARCEL OF LAND DESCRIBED ON A RECORD OF SURVEY, MINOR LAND DIVISION ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF PINAL COUNTY, ARIZONA, RECORDED IN FEE NO. 2021-091167;

THENCE SOUTHEASTERLY ALONG THE SOUTHERLY LINE OF SAID PARCEL AND ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 27 DEGREES 08 MINUTES 20 SECONDS, A DISTANCE OF 284.20 FEET;

THENCE CONTINUE ALONG THE SOUTHERLY LINE OF SAID PARCEL, SOUTH 52 DEGREES 07 MINUTES 15 SECONDS EAST, A DISTANCE OF 184.23 FEET TO THE POINT OF CURVE OF A NON TANGENT CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES SOUTH 58 DEGREES 56 MINUTES 15 SECONDS EAST, A RADIAL DISTANCE OF 330.00 FEET, SAID POINT BEING COINCIDENT WITH THE WESTERLY RIGHT OF WAY LINE OF WEST HONEYCUTT AVENUE, ACCORDING TO SAID ARIZONA DEPARTMENT OF TRANSPORTATION "RIGHT OF WAY PLANS OF THE MARICOPA ROAD MARICOPA UNION PACIFIC CROSSING";

THENCE SOUTHERLY ALONG SAID WESTERLY RIGHT OF WAY LINE AND ALONG THE ARC THROUGH A CENTRAL ANGLE OF 31 DEGREES 01 MINUTE 00 SECONDS, A DISTANCE OF 178.64 FEET;

THENCE ALONG SAID WESTERLY RIGHT OF WAY LINE, SOUTH 00 DEGREES 02 MINUTES 45 SECONDS WEST, A DISTANCE OF 33.33 FEET, TO A POINT COINCIDENT WITH THE NORTHERLY RIGHT OF WAY LINE OF WEST HONEYCUTT AVENUE, ACCORDING TO SAID ARIZONA DEPARTMENT OF TRANSPORTATION "RIGHT OF WAY PLANS OF THE MARICOPA ROAD MARICOPA UNION PACIFIC CROSSING";

THENCE ALONG SAID NORTHERLY RIGHT OF WAY LINE, NORTH 89 DEGREES 57 MINUTES 15 SECONDS WEST, A DISTANCE OF 370.00 FEET;

THENCE CONTINUE ALONG SAID NORTHERLY RIGHT OF WAY LINE, NORTH 44 DEGREES 57 MINUTES 15 SECONDS WEST, A DISTANCE OF 21.21 FEET TO THE POINT OF BEGINNING.

PINAL COUNTY PARCEL 510-25-009Q (PORTION THEREOF)

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 4 SOUTH RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, PINAL COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 27 FROM WHENCE THE NORTHWEST CORNER LIES NORTH 00 DEGREES 09 MINUTES 10 SECONDS WEST, A DISTANCE OF 2628.84 FEET;

THENCE ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 27, SOUTH 89 DEGREES 46 MINUTES 13 SECONDS EAST, A DISTANCE OF 385.26 FEET TO A POINT COINCIDENT WITH THE EASTERLY RIGHT OF WAY LINE OF STATE HIGHWAY 347 ACCORDING TO "RIGHT OF WAY PLANS OF THE MARICOPA ROAD MARICOPA UNION PACIFIC CROSSING" ON FILE WITH THE ARIZONA DEPARTMENT OF TRANSPORTATION IN PROJECT NUMBER 347 PN 172 H7007 WITH A DRAWING NUMBER OF D-11-T-497, SAID POINT ALSO BEING THE BEGINNING OF A CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES NORTH 77 DEGREES 58 MINUTES 06 SECONDS WEST, A RADIAL DISTANCE OF 1,550.00 FEET;

THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE, NORTHERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 11 DEGREES 59 MINUTES 09 SECONDS, A DISTANCE OF 324.25 FEET;

THENCE CONTINUE ALONG SAID RIGHT OF WAY LINE, NORTH 00 DEGREES 02 MINUTES 45 SECONDS EAST, A DISTANCE OF 81.29 FEET;

THENCE DEPARTING SAID RIGHT OF WAY LINE, NORTH 45 DEGREES 02 MINUTES 45 SECONDS EAST, A DISTANCE OF 21.23 FEET, TO A POINT COINCIDENT WITH THE SOUTHERLY RIGHT OF WAY LINE OF WEST HONEYCUTT AVENUE, ACCORDING TO SAID ARIZONA DEPARTMENT OF TRANSPORTATION "RIGHT OF WAY PLANS OF THE MARICOPA ROAD MARICOPA UNION PACIFIC CROSSING";

THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE, SOUTH 89 DEGREES 57 MINUTES 15 SECONDS EAST, A DISTANCE OF 468.00 FEET, TO A POINT OF COINCIDENT WITH THE EASTERLY RIGHT OF WAY LINE OF WEST HONEYCUTT AVENUE;

THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE, NORTH 00 DEGREES 02 MINUTES 45 SECONDS EAST, A DISTANCE OF 110.00 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUE ALONG SAID EASTERLY RIGHT OF WAY LINE, NORTH 89 DEGREES 57 MINUTES 15 SECONDS WEST, A DISTANCE OF 38.01 FEET;

THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE, NORTH 00 DEGREES 02 MINUTES 45 SECONDS EAST, A DISTANCE OF 33.33 FEET TO A POINT OF CURVE TO THE RIGHT HAVING A RADIUS OF 270.00 FEET AND A CENTRAL ANGLE OF 29 DEGREES 29 MINUTES 31 SECONDS;

THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE, NORTHERLY ALONG THE ARC, A DISTANCE OF 138.98 FEET TO A POINT ON THE SOUTHERLY LINE OF A RECORD OF SURVEY, MINOR LAND DIVISION ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF PINAL COUNTY, ARIZONA, RECORDED IN FEE NO. 2021-091167;

THENCE ALONG SAID SOUTHERLY LINE, ALONG A LINE NON-TANGENT TO SAID CURVE, SOUTH 52 DEGREES 07 MINUTES 15 SECONDS EAST, A DISTANCE OF 392.30 FEET;

THENCE DEPARTING SAID LINE, SOUTH 54 DEGREES 45 MINUTES 59 SECONDS WEST, A DISTANCE OF 7.88 FEET TO A POINT OF CURVE TO THE RIGHT HAVING A RADIUS OF 123.56 FEET AND A CENTRAL ANGLE OF 62 DEGREES 17 MINUTES 28 SECONDS;

THENCE WESTERLY ALONG THE ARC, A DISTANCE OF 134.33 FEET; THENCE NORTH 62 DEGREES 56 MINUTES 34 SECONDS WEST, A DISTANCE OF 194.07 FEET TO THE POINT OF BEGINNING.