

ORDINANCE NO. 22-25

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 71 ACRES OF LAND GENERALLY LOCATED AT THE SOUTHWEST CORNER OF SMITH ENKE ROAD (SR 238) AND NORTH LOMA ROAD, WITHIN THE CITY OF MARICOPA INCORPORATED LIMITS, FROM INDUSTRIAL (CI-2) TO PLANNED AREA DEVELOPMENT (PAD) AS DESCRIBED IN ZONING CASE #PAD 22-11. THE PARCEL OF LAND IS LOCATED IN THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 5 SOUTH, RANGE 4 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 applicant initiated a Public Participation Plan to inform residents of the proposed rezoning of approximately 71 acres from Industrial (CI-2) to Planned Area Development (PAD), 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 September 26, 2022 in zoning case #PAD22-11, 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 71 acres from Industrial (CI-2) to Planned Area Development (PAD). 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.

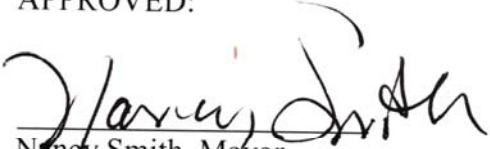
Section 2. Further, those conditions of approval imposed by the Maricopa City Council as part of zoning case PAD 22-11 are hereby expressly incorporated into and adopted as part of this Ordinance by this reference.

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 18th day of October, 2022.

APPROVED:


Nancy Smith, Mayor

ATTEST:


Vanessa Bueras, MMC
City Clerk



APPROVED AS TO FORM:

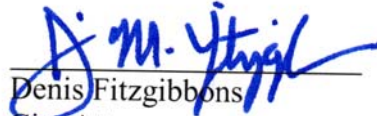

Denis Fitzgibbons
City Attorney

EXHIBIT K

Legal Description

Parcel 1

The Land referred to herein below is situated in the County of Pinal, State of Arizona, and is described as follows:

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 21, 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 NORTHWEST CORNER OF SAID SECTION 21 FROM WHENCE THE NORTH QUARTER CORNER LIES NORTH 89 DEGREES 21 MINUTES 24 SECONDS EAST, A DISTANCE OF 2673.88 FEET;

THENCE ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 21, SOUTH 01 DEGREE, 11 MINUTES, 49 SECONDS EAST, A DISTANCE OF 1,297.52 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 89 DEGREES, 21 MINUTES, 24 SECONDS EAST, A DISTANCE OF 397.77 FEET;

THENCE NORTH 01 DEGREE, 00 MINUTES, 00 SECONDS WEST, A DISTANCE OF 240.28 FEET;

THENCE NORTH 89 DEGREES, 21 MINUTES, 24 SECONDS EAST, A DISTANCE OF 934.71 FEET TO A POINT COINCIDENT WITH THE WESTERN RIGHT OF WAY LINE OF NORTH LOMA ROAD ACCORDING TO THE SPECIAL WARRANTY DEED ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF PINAL COUNTY, ARIZONA, RECORDED IN FEE NUMBER 2015-083664;

THENCE ALONG SAID LINE, SOUTH 01 DEGREE, 00 MINUTES, 00 SECONDS EAST, A DISTANCE OF 672.04 FEET TO A POINT COINCIDENT WITH THE "POINT OF BEGINNING" OF THE PARCEL DESCRIBED IN A SPECIAL WARRANTY DEED ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF PINAL COUNTY, ARIZONA, RECORDED IN FEE NUMBER 2016-043651;

THENCE ALONG THE WESTERLY LINE OF SAID PARCEL, SOUTH 44 DEGREES, 00 MINUTES, 00 SECONDS WEST, A DISTANCE OF 21.21 FEET;

THENCE CONTINUE ALONG SAID LINE, SOUTH 01 DEGREE, 00 MINUTES, 00 SECONDS EAST, A DISTANCE OF 60.00 FEET;

THENCE CONTINUE ALONG SAID LINE, SOUTH 46 DEGREES, 00 MINUTES, 00 SECONDS EAST, A DISTANCE OF 21.21 FEET TO SAID WESTERN RIGHT OF WAY LINE OF NORTH LOMA ROAD;

THENCE ALONG SAID LINE, SOUTH 01 DEGREE, 00 MINUTES, 00 SECONDS EAST, A DISTANCE OF 10.81 FEET;

THENCE DEPARTING SAID LINE, SOUTH 89 DEGREES, 21 MINUTES, 24 SECONDS WEST, A DISTANCE OF 1,166.25 FEET;

THENCE NORTH 01 DEGREE, 00 MINUTES, 00 SECONDS WEST, A DISTANCE OF 113.81 FEET;

THENCE SOUTH 89 DEGREES, 21 MINUTES, 24 SECONDS WEST, A DISTANCE OF 164.79 FEET TO THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 21;

THENCE ALONG SAID LINE, NORTH 01 DEGREE, 11 MINUTES, 49 SECONDS WEST, A DISTANCE OF 418.77 FEET TO THE POINT OF BEGINNING.



Parcel 2

The Land referred to herein below is situated in the County of Pinal, State of Arizona, and is described as follows:

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 21, 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 NORTHWEST CORNER OF SAID SECTION 21 FROM WHENCE THE NORTH QUARTER CORNER LIES NORTH 89 DEGREES 21 MINUTES 24 SECONDS EAST, A DISTANCE OF 2673.88 FEET;

THENCE ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 21, SOUTH 01 DEGREE, 11 MINUTES, 49 SECONDS EAST, A DISTANCE OF 1,716.29 FEET TO THE POINT OF BEGINNING;

THENCE DEPARTING SAID LINE, NORTH 89 DEGREES, 21 MINUTES, 24 SECONDS EAST, A DISTANCE OF 164.79 FEET;

THENCE SOUTH 01 DEGREE, 00 MINUTES, 00 SECONDS EAST, A DISTANCE OF 113.81 FEET;

THENCE NORTH 89 DEGREES, 21 MINUTES, 24 SECONDS EAST, A DISTANCE OF 1,166.25 FEET TO A POINT COINCIDENT WITH THE WESTERN RIGHT OF WAY LINE OF NORTH LOMA ROAD ACCORDING TO THE AMENDED FINAL PLAT OF ESTRELLA GIN BUSINESS PARK ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF PINAL COUNTY, ARIZONA, RECORDED IN FEE NUMBER 2019-073078 OF OFFICIAL RECORDS;

THENCE ALONG SAID LINE, SOUTH 01 DEGREE, 00 MINUTES, 00 SECONDS EAST, A DISTANCE OF 794.70 FEET TO SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 21;

THENCE ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 21, SOUTH 89 DEGREES, 36 MINUTES, 14 SECONDS WEST, A DISTANCE OF 440.23 FEET TO A POINT COINCIDENT WITH THE NORTHERLY RIGHT OF WAY LINE OF THE SOUTHERN PACIFIC RAILROAD, SAID POINT ALSO BEING A POINT OF CURVE OF A NON TANGENT CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES SOUTH 32 DEGREES, 03 MINUTES, 05 SECONDS WEST, A RADIAL DISTANCE OF 34,863.21 FEET;

THENCE NORTHWESTERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 01 DEGREE, 43 MINUTES, 39 SECONDS, A DISTANCE OF 1,051.20 FEET TO A POINT COINCIDENT WITH THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 21;

THENCE ALONG SAID LINE, NORTH 01 DEGREE, 11 MINUTES, 49 SECONDS WEST, A DISTANCE OF 352.21 FEET TO THE POINT OF BEGINNING.



Parcel 3

The Land referred to herein below is situated in the County of Pinal, State of Arizona, and is described as follows:

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 21, 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 NORTHWEST CORNER OF SAID SECTION 21 FROM WHENCE THE NORTH QUARTER CORNER LIES NORTH 89 DEGREES 21 MINUTES 24 SECONDS EAST, A DISTANCE OF 2673.88 FEET;

THENCE ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 21, SOUTH 01 DEGREE, 11 MINUTES, 49 SECONDS EAST, A DISTANCE OF 50.00 FEET TO A POINT COINCIDENT WITH THE SOUTHERN RIGHT OF WAY LINE OF WEST SMITH ENKE ROAD ACCORDING TO A RESOLUTION OF ESTABLISHMENT ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF PINAL COUNTY, ARIZONA, RECORDED IN DOCKET 1639, PAGE 486, SAID POINT BEING THE POINT OF BEGINNING;

THENCE ALONG SAID SOUTHERN RIGHT OF WAY LINE, NORTH 89 DEGREES, 21 MINUTES, 24 SECONDS EAST, A DISTANCE OF 1,286.77 FEET TO A POINT COINCIDENT WITH THE NORTHWEST CORNER OF THE PARCEL DEEDED TO MARICOPA WATER IMPROVEMENT DISTRICT ACCORDING TO THE DEED ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF PINAL COUNTY, ARIZONA, RECORDED IN FEE NUMBER 1997-044070 OF OFFICIAL RECORDS;

THENCE ALONG THE WEST LINE OF SAID PARCEL, SOUTH 01 DEGREE, 00 MINUTES, 00 SECONDS EAST, A DISTANCE OF 50.00 FEET, TO THE SOUTHWEST CORNER OF SAID PARCEL;

THENCE ALONG THE SOUTH LINE OF SAID PARCEL, NORTH 89 DEGREES, 21 MINUTES, 24 SECONDS EAST, A DISTANCE OF 50.00 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL, SAID POINT ALSO BEING COINCIDENT WITH THE WESTERN RIGHT OF WAY LINE OF NORTH LOMA ROAD ACCORDING TO THE SPECIAL WARRANTY DEED ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF PINAL COUNTY, ARIZONA, RECORDED IN FEE NUMBER 2015-083664 OF OFFICIAL RECORDS;

THENCE ALONG SAID WESTERN RIGHT OF WAY LINE, SOUTH 01 DEGREE, 00 MINUTES, 00 SECONDS EAST, A DISTANCE OF 206.24 FEET;

THENCE DEPARTING SAID LINE, SOUTH 89 DEGREES, 21 MINUTES, 24 SECONDS WEST, A DISTANCE OF 752.41 FEET;

THENCE SOUTH 01 DEGREE, 00 MINUTES, 00 SECONDS EAST, A DISTANCE OF 750.96 FEET;

THENCE SOUTH 89 DEGREES, 21 MINUTES, 24 SECONDS WEST, A DISTANCE OF 182.30 FEET;

THENCE SOUTH 01 DEGREE, 00 MINUTES, 00 SECONDS EAST, A DISTANCE OF 240.28 FEET;

THENCE SOUTH 89 DEGREES, 21 MINUTES, 24 SECONDS WEST, A DISTANCE OF 397.77 FEET TO THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 21;

THENCE ALONG SAID LINE, NORTH 01 DEGREE, 11 MINUTES, 49 SECONDS WEST, A DISTANCE OF 1,247.52 FEET TO THE POINT OF BEGINNING.

