

ATTACHMENT A

THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL, ADOPTED ORDINANCE.

ORDINANCE G-

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-22-20-7) FROM C-3 (PENDING C-3 DNS/WVR) (GENERAL COMMERCIAL (PENDING GENERAL COMMERCIAL, DENSITY WAIVER)) TO C-3 DNS/WVR HP (GENERAL COMMERCIAL, DENSITY WAIVER, HISTORIC PRESERVATION).

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

SECTION 1. The zoning of a 1.74 acre property located approximately 250 feet east of the southeast corner of Grand Avenue and Encanto Boulevard, in a portion of Section 36, Township 2 North, Range 2 East, as described more specifically in Exhibit "A," is hereby changed from "C-3 (Pending C-3 DNS/WVR)" (General Commercial (Pending General Commercial, Density Waiver)) to "C-3 DNS/WVR HP" (General Commercial, Density Waiver, Historic Preservation Overlay).

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. 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 7th day of October, 2020.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Cris Meyer, City Attorney

By: _____
Julie Kriegh, Chief Assistant City Attorney *Pml*

REVIEWED BY:

Ed Zuercher, City Manager

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

PL:tml:LF20-2397:10-7-2020:2211623v1

EXHIBIT A

LEGAL DESCRIPTION FOR Z-22-20-7

THAT PORTION OF TRACT NO. 15 OF STATE PLAT NO. 3 IN SECTION 36 TOWNSHIP 2 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, AS PER MAP RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA IN BOOK 8 OF MAPS, PAGE 31 THEREOF DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST WESTERLY CORNER OF SAID TRACT NO. 15, AND RUN THENCE SOUTH 45 DEGREES 04 MINUTES EAST, A DISTANCE OF 185 FEET;

THENCE NORTH 38 DEGREES 34 MINUTES EAST, A DISTANCE OF 411.68 FEET TO A POINT OF THE NORTH LINE OF SAID TRACT NO. 15;

THENCE NORTH 86 DEGREES 56 MINUTES WEST, A DISTANCE OF 258.80 FEET TO THE CORNER OF SAID TRACT NO. 15:

THENCE SOUTH 31 DEGREES 54 MINUTES WEST, A DISTANCE OF 242.38 FEET TO THE POINT OF BEGINNING;

EXCEPT A STRIP OF LAND BEING 185.00 FEET LONG, 12.00 FEET WIDE, LYING EASTERLY OF, ADJOINING, ADJACENT AND PARALLEL TO THE 33.00 FEET RIGHT OF WAY LINE ON THE EASTERLY SIDE OF THE PHOENIX-GLENDALE HIGHWAY, KNOWN AS GRAND AVENUE HIGHWAY, AS CONVEY TO THE STATE OF ARIZONA, BY THAT CERTAIN DEED RECORDED IN BOOK 286 OF DEEDS, PAGE 314, RECORDS OF MARICOPA COUNTY ARIZONA AND EXCEPT ANY PORTION LYING WITHIN THE FOLLOWING DESCRIBED PARCELS:

THAT PORTION OF TRACT NO. 15 OF STATE PLAT NO.3, IN SECTION 36, TOWNSHIP 2 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, ACCORDING TO THE MAP OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, IN BOOK 8 OF MAPS, PAGE 31, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EXISTING SOUTHERLY RIGHT OF WAY LINE OF ENCANTO BOULEVARD WHICH POINT IS COINCIDENT TO THE NORTHWESTERLY CORNER OF SAID TRACT NO. 15;

THENCE SOUTH 86 DEGREES 51 MINUTES 49 SECONDS EAST (SOUTH 86 DEGREES 56 MINUTES 00 SECONDS EAST RECORDED) ALONG THE LINE COMMON TO SAID TRACT NO. 15 AND ENCANTO BLVD., A DISTANCE OF 259.45

FEET (258.80 FEET RECORDED) TO THE NORTHEASTERLY CORNER OF THAT CERTAIN PROPERTY CONVEYED TO ELLA MCCARTY, A WIDOW AND FAY VARBEL, A WIDOW BY WARRANTY DEED DATED JULY 11, 1951 AND RECORDED IN DOCKET 784, PAGE 194, RECORDS OF SAID COUNTY;

THENCE SOUTH 38 DEGREES 36 MINUTES 03 SECONDS WEST (SOUTH 38 DEGREES 34 MINUTES 00 SECONDS WEST RECORDED) ALONG THE SOUTHEASTERLY LINE OF SAID MCCARTY AND VARBEL PROPERTY, A DISTANCE OF 50.01 FEET;

THENCE FROM A LOCAL TANGENT BEARING OF NORTH 84 DEGREES 35 MINUTES 13 SECONDS WEST, ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 707.07 FEET, A DISTANCE OF 111.82 FEET

THENCE NORTH 75 DEGREES 31 MINUTES 33 SECONDS WEST, A DISTANCE OF 1.16 FEET;

THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 641.07 FEET A DISTANCE 127.37 FEET TO THE WESTERLY LINE OF SAID TRACT NO. 15;

THENCE NORTH 32 DEGREES 03 MINUTES 53 SECONDS EAST (NORTH 31 DEGREES 54 MINUTES 00 SECONDS EAST RECORDED) ALONG SAID WESTERLY LINE, A DISTANCE OF 18.12 FEET TO THE POINT OF BEGINNING;

AND EXCEPT A PARCEL OF LAND SITUATED IN TRACT 15 OF STATE PLAT NO. 3 IN SECTION 36 TOWNSHIP 2 NORTH RANCH 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, PER MAP RECORDED IN THE OFFICE OF THE MARICOPA COUNTY RECORDER IN BOOK 8 OF MAPS PAGE 31, LYING WITHIN THE RIGHT-OF-WAY OF PHOENIX-GLOBE STATE HIGHWAY AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTHEASTERLY RIGHT-OF-WAY LINE OF EXISTING GRAND AVENUE (U.S. HIGHWAY 60-70-89) WITH THE NORTHWESTERLY LINE OF SAID TRACT 15;

THENCE SOUTH 44 DEGREES 34 MINUTES 30 SECONDS EAST (SOUTH 44 DEGREES 44 MINUTES 00 SECONDS EAST RECORDED) A DISTANCE OF 185.36 FEET;

THENCE NORTH 38 DEGREES 36 MINUTES 03 SECONDS EAST (NORTH 38 DEGREES 34 MINUTES 00 SECONDS EAST RECORDED) A DISTANCE OF 28.26 FEET:

THENCE NORTH 44 DEGREES 34 MINUTES 30 SECONDS WEST, A DISTANCE OF 188.61 FEET TO THE NORTHWESTERLY LINE OF SAID TRACT NO. 15:

THENCE SOUTH 32 DEGREES 10 MINUTES 35 SECONDS WEST (SOUTH 31 DEGREES 54 MINUTES 00 SECONDS WEST RECORDED) ALONG SAID NORTHWESTERLY LINE A DISTANCE OF 28.83 FEET TO THE POINT OF BEGINNING;

AND EXCEPT ANY PORTION LYING WITHIN THE EXISTING RIGHT OF WAY OF GRAND AVENUE;

AND ALSO EXCEPT THAT PORTION AS SHOWN IN THE FINAL ORDER OF CONDEMNATION RECORDED IN DOCUMENT NO. 2012-1057300, RECORDS OF MARICOPA COUNTY ARIZONA.

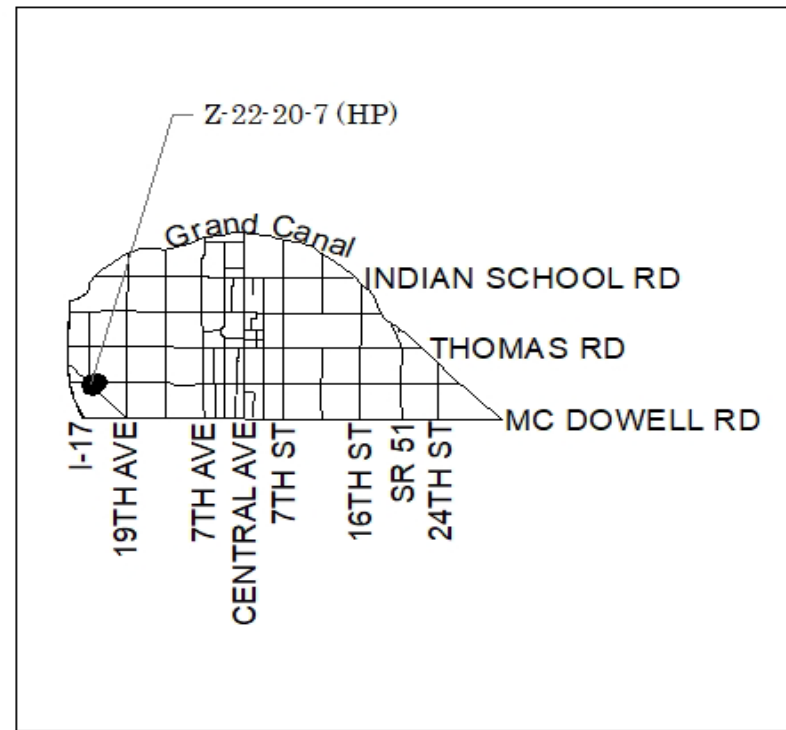
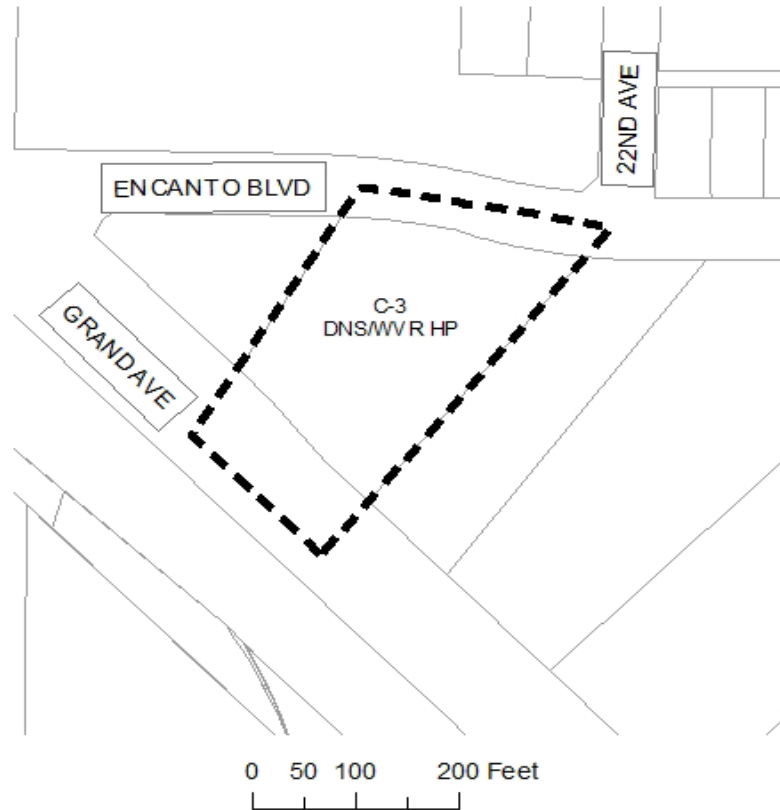
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ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: ■ ■ ■ ■ ■

Zoning Case Number: Z-22-20-7 (HP)
Zoning Overlay: N/A
Planning Village: Encanto



NOT TO SCALE



Drawn Date: 9/30/2020

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