

Exhibit 4
DRAFT ORDINANCE

ORDINANCE NO 2022-04

AN ORDINANCE OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, AMENDING THE ALORAVITA PLANNED COMMUNITY DISTRICT (PCD) BOUNDARY BY REMOVING SPECIFIED PROPERTY FROM THE ALORAVITA PCD; AMENDING THE ZONING MAP AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS the City of Peoria Planning and Zoning Commission held a public hearing on April 7, 2022 on zoning case Z08-02A.3 in the manner prescribed by law for the purpose of considering an amendment to the zoning district of a property within the City of Peoria, Arizona, to provide for a boundary amendment of a parcel of land as described below, amending the boundary of the Aloravita Planned Community District (PCD), as provided in Section 21-317 of Chapter 21 of the Peoria City Code;

WHEREAS, due and proper notice of such Public Hearing was given in the time, form, substance and manner provided by law including publication of such notice in the Peoria Times Newspaper on March 17, 2022; and

WHEREAS, the City of Peoria Planning and Zoning Commission has recommended to the Mayor and the Council of the City of Peoria, Arizona, the zoning of property as aforesaid and the Mayor and the Council of the City of Peoria, Arizona desires to accept such recommendation and rezone the property as described below as aforesaid.

NOW, THEREFORE BE IT ORDAINED by the Mayor and Council of the City of Peoria, Arizona that:

SECTION 1. Parcels of land in Peoria, Maricopa County, Arizona, which are more accurately described in Exhibits A and B, to this Ordinance are hereby removed from the Aloravita Planned Community District (PCD) zoning district.

SECTION 2. The amendment to the zoning herein provided is conditioned and subject to the following stipulations:

1. The development shall substantially conform to The Aloravita Planned Community District (PCD) Standards and Guidelines Report, and Project Narrative contained within the 4/7/2022 Planning and Zoning Commission staff report, except as modified herein.

2. All prior conditions of approval related to the Aloravita PCD (Z08-02) and its subsequent amendments shall remain in effect except as specifically modified by this amendment.
3. The approval of this amendment to modify the boundary of the Aloravita PCD is conditioned upon the subsequent approval of The Trailhead Planned Area Development rezoning request (Case Z17-27) and corresponding adoption of the ordinance thereof by the Peoria City Council.

If The Trailhead rezoning request and/or its corresponding ordinance fails to be adopted by City Council:

- a. The subject amendment for Aloravita PCD (Case Z08-02A.3) shall be rescinded through subsequent action by City Council; and
- b. All prior conditions of approval related to the Aloravita PCD (Z08-02) and its subsequent amendments thereof, but excluding this amendment (Z08-02A.3), shall remain in effect.

SECTION 3: The City of Peoria zoning map is herewith amended to reflect the change in districts referred to in Section 1 above and as defined by the Legal Descriptions as represented in Exhibit A, and the corresponding parcel map as shown as Exhibit B.

SECTION 4: If any section, subsection, sentence, clause or phase 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 of this Ordinance.

SECTION 5: This Ordinance shall become effective at the time and in the manner prescribed by law.

PASSED AND ADOPTED by the Mayor and Council for the City of Peoria,
Arizona this 19th day of April, 2022.

Cathy Carlat, Mayor

Date signed

ATTEST:

Lori Dyckman, Acting City Clerk

APPROVED AS TO FORM:

Vanessa P. Hickman, City Attorney

Published in: Peoria Times
Publication Date: April 28, 2022
Effective Date: _____

Exhibit A

Legal Description

ARIZONA STATE LAND DEPARTMENT
THE TRAILHEAD
PEORIA, ARIZONA

March 9, 2021
Job No. 5867
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LOCATED IN THE SOUTH HALF OF SECTION 2, TOWNSHIP 4 NORTH, RANGE 1 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 2, FROM WHICH THE WEST QUARTER CORNER OF SAID SECTION 2 BEARS NORTH 01 DEGREE 38 MINUTES 48 SECONDS WEST, A DISTANCE OF 2,598.59 FEET;

THENCE SOUTH 89 DEGREES 54 MINUTES 01 SECONDS EAST, ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 2, A DISTANCE OF 917.87 FEET TO THE POINT OF BEGINNING, BEING THE CENTERLINE OF 83RD AVENUE PER CITY OF PEORIA RESOLUTION NO. 07-172, RECORDED IN DOCUMENT NO. 2007-1345578, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE NORTH 38 DEGREES 21 MINUTES 36 SECONDS EAST, ALONG SAID 83RD AVENUE CENTERLINE, A DISTANCE OF 25.59 FEET TO A POINT OF CURVE TO THE LEFT;

THENCE NORTHEASTERLY ALONG SAID CURVE, HAVING A RADIUS OF 2,900.00 FEET, THROUGH A CENTRAL ANGLE OF 19 DEGREES 30 MINUTES 21 SECONDS, A DISTANCE OF 987.28 FEET;

THENCE DEPARTING SAID CENTERLINE, SOUTH 77 DEGREES 04 MINUTES 34 SECONDS EAST, A DISTANCE OF 1,049.34 FEET TO A POINT OF CURVE TO THE RIGHT;

THENCE SOUTHEASTERLY ALONG SAID CURVE, HAVING A RADIUS OF 350.00 FEET, THROUGH A CENTRAL ANGLE OF 47 DEGREES 02 MINUTES 07 SECONDS, A DISTANCE OF 287.32 FEET;

THENCE SOUTH 30 DEGREES 02 MINUTES 27 SECONDS EAST, A DISTANCE OF 96.06 FEET;

THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 94.31 FEET;

THENCE SOUTH 15 DEGREES 44 MINUTES 30 SECONDS EAST, A DISTANCE OF 319.84 FEET TO THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 2;

THENCE ALONG SAID SOUTH LINE, NORTH 89 DEGREES 53 MINUTES 18 SECONDS WEST, A DISTANCE OF 148.44 FEET TO THE CALCULATED POSITION OF THE SOUTH QUARTER CORNER OF SAID SECTION 2;

THENCE NORTH 89 DEGREES 54 MINUTES 01 SECONDS WEST, ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 1,720.20 FEET TO THE POINT OF BEGINNING.



