

Exhibit 1
DRAFT ORDINANCE

ORDINANCE NO 2025-11

AN ORDINANCE OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, REZONING SPECIFIED PROPERTY FROM GENERAL AGRICULTURE (AG) AND PLANNED AREA DEVELOPMENT (PAD) TO THE DOWNTOWN COMMERCIAL MIXED USE (D/CM) ZONING DISTRICT ZONING DISTRICT; AMENDING THE ZONING MAP AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS the City of Peoria Planning and Zoning Commission held a public hearing on March 6, 2025 in zoning case Z24-12 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 rezoning of a parcel of land as described below, from General Agriculture (AG) and Planned Area Development (PAD) to the Downtown Commercial Mixed Use (D/CM) zoning district, as provided in Section 21-115.C 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 February 13, 2025; and

WHEREAS, in accordance with Arizona Revised Statute 9-462.01.E, the City of Peoria finds that the subject ordinance would not have a direct impact on the cost to construct housing for sale or rent within the City of Peoria.

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 rezoned from General Agriculture (AG) and Planned Area Development (PAD) to the Downtown Commercial Mixed Use (D/CM) zoning district.

SECTION 2: 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 3: 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 April 22nd, 2025.

Jason Beck, Mayor

Date signed

ATTEST:

Agnes Goodwine, City Clerk

APPROVED AS TO FORM:

Emily Jurmu, City Attorney

Published in: Peoria Times

Publication Date: _____

Effective Date: _____

**Exhibit A
Legal Description**

Washington Street Parcels

APN 142-41-022
APN 142-41-023
APN 142-41-024
APN 142-41-025A
APN 142-41-026A
APN 142-41-027

PEORIA BLOCK 35 / PEORIA LOTS 4-5 BLK 24; AND
PEORIA BLOCK 35 / LOT 6; AND
PEORIA BLOCK 35 / LOT 7; AND
PEORIA BLOCK 35 / LOT 8 BLK 24 EXCEPT WEST 4, AND;
PEORIA BLOCK 35 / LOT 9 BLK 24 E 16' AND W 4' OF LOT 8; AND
PEORIA BLOCK 35 / LOT 10 PEORIA W 9' OF LOT 9 AND ALL LOT 10 BLK 24.

Osuna Park Legal Description

Parcel No. 1

PART OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 3 NORTH, RANGE
1 EAST OF THE GILA AND SALT RIVER BASE AD MERIDAN, MARICOPA COUNTY
ARIZONA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT 350.78 FEET WEST AND 12 FEET NORTH OF THE
SOUTHEAST CORNER OF SAID SECTION 22;
THENCE NORTH 75 FEET;
THENCE EAST 150 FEET;
THENCE SOUTH 75 FEET;
THENCE WEST 150 FEET TO THE POINT OF BEGINNING

Parcel No. 2

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 22, TOWNSHIP 3, NORTH
RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDAN, MARICOPA
COUNTY, ARIZONA

THENCE WEST (ASSUMED BEARING) ALONG THE SOUTH LINE OF SAID SECTION 22
A DISTANCE OF 12.48 FEET;

THENCE NORTH 0 DEGREES 13 MINUTES EAST AND PARALLEL TO THE EAST LINE
OF SAID SECTION 22, A DISTANCE OF 12.00 FEET TO THE TRUE POINT OF
BEGINNING;

THENCE NORTH 0 DEGREES 13 MINUTES EAST A DISTANCE OF 46.01 FEET TO A
POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF THE U.S. HIGHWAY 60-70;

THENCE NORTH 37 DEGREES 04 MINUTES WEST ALONG SAID SOUTHERLY
RIGHT-OF-WAY LINE A DISTANCE OF 91.32 FEET;

THENCE SOUTH 78 DEGREES 54 MINUTES 15 SECONDS WEST, A DISTANCE OF
134.86 FEET TO A POINT ON THE NORTHERNLY PROLONGATION OF THE EAST LINE
OF THAT CERTAIN PARCEL OF LAND CONVEYED TO CAPITAL PROPERTIES, INC., BY
DEED DATED NOVEMBER 10, 1960;

THENCE SOUTH 0 DEGREES 47 MINUTES OF 93.00 FEET TO A POINT 12 FEET NORTH
OF THE SOUTH LINE OF SAID SECTION 22;

THENCE EAST AND PARALLEL TO SAID SOUTH LINE A DISTANCE OF 188.41 FEET
TO THE TRUE POINT OF BEGINNING;

Parcel No. 3

FROM THE SOUTHEAST CORNER OF THE SECTION 22, TOWNSHIP 3 NORTH, RANGE 1
EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, NORTH 0 DEGREES 13
MINUTES 0 SECONDS EAST (ASSUMED BEARING), ALONG THE EAST LINE OF
SECTION 22, A DISTANCE OF 41.47 FEET TO THE SOUTHERNLY RIGHT-OF-WAY
LINE OF U.S. HIGHWAY 60-70;

THENCE NORTH 37 DEGREES 04 MINUTES WEST ALONG SAID SOUTHERLY
RIGHT-OF-WAY LINE OF THE U.S HIGHWAY 60-70, A DISTANCE OF 111.92 FEET TO
THE POINT OF BEGINNING;

THENCE SOUTH 78 DEGREES 54 MINUTES 15 SECONDS WEST, 134.86 FEET
ALONG THE NORTHERLY LINE OF THE PROPERTY DESCRIBED IN DOCKET 3636,
PAGE 383, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE SOUTH 0 DEGREES 47 MINUTES WEST, 18.00 FEET ALONG THE
WESTERLY LINE OF THE PROPERTY DESCRIBED IN DOCKET 3636, PAGE 383,
RECORDS OF MARICOPA COUNTY, ARIZONA TO THE NORTHEAST CORNER OF THE

PROPERTY DESCRIBED IN DOCKET 5649, PAGE 390, RECORDS OF MARICOPA COUNTY, ARIZONA

THENCE WEST 150.00 FEET ALONG THE NORTH LINE OF THE PROPERTY DESCRIBED IN DOCKET 5649, PAGE 390, RECORDS OF MARICOPA COUNTY, ARIZONA, TO THE EAST RIGHT-OF-WAY LINE OF OLIVE STREET, AS DESCRIBED IN DOCKET 3630, PAGE 271, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE NORTH 0 DEGREES 47 MINUTES EAST, 20.00 FEET ALONG SAID RIGHT-OF-WAY LINE TO A ONE-HALF INCH IRON PIPE SET FOR THE NORTHWEST CORNER OF THE HEARIN DESCRIBED PARCEL OF LAND;

THENCE EAST 145.69 FEET, PARALLEL TO THE NORTH LINE OF THE PROPERTY DESCRIBED IN DOCKET 5649, PAGE 390, RECORDS OF MARICOPA COUNTY, ARIZONA, TO A ONE-HALF INCH PIPE SET FOR A POINT IN THE NORTHERLY LINE OF THE HEARIN DESCRIBED PARCEL OF LAND;

THENCE NORTH 55 DEGREES 22 MINUTES 12 SECONDS EAST, 123.58 FEET TO A ONE-HALF INCH PIPE SET ON THE SOUTHERLY RIGHT OF WAY LINE OF U.S. HIGHWAY 60-70 FOR THE NORTHEAST CORNER OF THE HEARIN DESCRIBED PARCEL OF LAND;

THENCE SOUTH 37 DEGREES 04 MINUTES EAST, 58.00 FEET ALONG THE ABOVE SAID U.S HIGHWAY 60-70 RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING

Parcel No. 4

THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 3 NORTH RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 22, BEING AN IRON PIPE IN THE WEST CURB OF ORANGE AVENUE;

THENCE NORTH 0 DEGREES 13 MINUTES (RECORD BEARING) ALONG THE EAST LINE OF SAID SECTION 22, A DISTANCE OF 41.57 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 60, 70, AND 89;

THENCE NORTH 37 DEGREES 04 MINUTES WEST ALONG SAID SOUTHERLY RIGHT-OF -WAY LINE OF U.S. HIGHWAY 60-70 AND 89 A DISTANCE OF 169.92 FEET TO A POINT;

THENCE SOUTH 55 DEGREES 22 MINUTES 12 SECONDS WEST ALONG THE NORTHERLY PROPERTY LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN DOCKET 5749, PAGE 376, RECORDS OF MARICOPA COUNTY, ARIZONA, A DISTANCE OF 123.58 FEET TO A CORNER POINT AND TRUE POINT OF BEGINNING;
THENCE WEST ALONG THE NORTHERLY LINE OF THAT PARCEL OF LAND DESCRIBED IN DOCKET 5749, PAGE 376 RECORDS OF MARICOPA COUNTY, ARIZONA, A DISTANCE OF 145.69 FEET TO A CORNER POINT ON THE EAST LINE OF OLIVE STREET, AS RECORDED IN DOCKET 7141, PAGE 363, RECORD OF MARICOPA COUNTY, ARIZONA
THENCE NORTH 0 DEGREES 47 MINUTES EAST ALONG SAIF EAST RIGHT-OF-WAY LINE OF OLIVE STREET A DISTANCE OF 99.95 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 44 FEET;
THENCE NORTHEASTERLY ALONG SAID CURVE AN ARC DISTANCE OF 38.9 FEET TO THE POINT OF TANGENCY OF SAID CURVE AND A CORNER POINT;
THENCE SOUTH 43 DEGREES 40 MINUTES 44 SECONDS EAST ALONG A LINE, A DISTANCE OF 184.95 FEET TO A CORNER POINT AND TRUE POINT OF BEGINNING

EXCEPTING ALL OIL, GAS AND MINERAL RIGHTS IN AND UNDER SAID PROPERTY, TOGETHER WITH EXCLUSIVE RIGHT TO USE SUCH PORTION OF SAID PROPERTY LYING MORE THAN 500 FEET BELOW THE SURFACE THEREOF FOR THE EXTRACTION OF OIL, GAS, AND MINERALS FROM SAID PROPERTY OR PROPERTIES IN THE VICINITY THEREOF HOWEVER, WITH NO RIGHT OF SURFACE ENTRY WHATSOEVER, AS SET FORTH IN INSTRUMENT RECORDED IN DOCKET 7400, PAGE 452;

Parcel No. 5

BLOCK 17, TOWNSITE OF PEORIA AS RECORDED IN BOOK 2 OF MAPS, PAGE 57 AND AMENDED TOWN SITE OF PEORIA, RECORDED IN BOOK 3 OF MAPS, PAGE 62, RECORDS OF MARICOPA COUNTY ARIZONA.

Excess A.D.O.T. Right-of-Way Abandonment

THOSE PORTIONS OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE1/4 SE1/4) OF SECTION 22, OF THE SOUTHEAST QUARTER OF THE

SOUTHWEST QUARTER (SW1/4 SW1/4) OF SECTION 33, OF THE NORTHEAST QUARTER OF THE NORTHEAST CORNER (NE1/4 NE1/4) OF SECTION 27, AND OF THE NORTHER WEST QUARTER OF THE NORTHWEST QUARTER (NW1/4 NW1/4) OF SECTION 26M TOWNSHIP 3 NORTH, RANGE 1 EAST, GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SECTION CORNER COMMON TO SAID SECTION 22, 23, 26, AND 27 ON THE EXISTING SOUTHWESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY 60 (WICKENBURG-PHOENIX HIGHWAY); THENCE SOUTH 88° 13' 21" WEST ALONG SAID EXISTING SOUTHWESTERLY RIGHT OF WAY, A DISTANCE OF 33.00 FEET; THENCE NORTH 1° 33' 39" WEST CONTINUING ALONG SAID EXISTING SOUTHWESTERLY RIGHT OF WAY LINE, A DISTANCE OF 85.13 FEET; THENCE NORTH 39° 04' 42" WEST CONTINUING ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE; A DISTANCE OF 275.50 FEET; THENCE SOUTH 45° 07' 06" EAST 426.29 FEET; THENCE SOUTH 1° 07' 06" EAST 28.28 FEET; THENCE SOUTH 43° 52' 54" WEST 156.28 FEET TO THE AFORESAID EXISTING SOUTHWESTERLY RIGHT OF WAY LINE; THENCE NORTH 37° 55' 31" EAST 28.28 FEET; THENCE SOUTH 43° 52' 54" WEST 156.28 FEET TO THE AFORESAID EXISTING SOUTHWESTERLY RIGHT OF WAY LINE, A DISTANCE OF 126.82 FEET; THENCE NORTH 46° 03' 39" WEST CONTINUING ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE, A DISTANCE OF 57.24 FEET TO THE SECTION LINE COMMON TO SAID SECTION 23 AND 26; THENCE SOUTH 87° 09' 43" WEST ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE, COINCIDENT WITH SAID COMMON SECTION LINE, A DISTANCE OF 27.21 FEET TO THE POINT OF BEGINNING.

**Exhibit B
Parcel Map**

