

Exhibit 1
DRAFT ORDINANCE

ORDINANCE NO 2025-14

A ORDINANCE OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA REZONING SPECIFIED PROPERTY FROM GENERAL AGRICULTURE (AG) ZONING DISTRICT TO PLANNED AREA DEVELOPMENT (PAD) ZONING DISTRICT FOR A PROPERTY TOTALING APPROXIMATELY 5.6 ACRES IN THE CITY OF PEORIA; 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 3, 2025 for Case Z24-04 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) Zoning District to Planned Area Development (PAD) Zoning District, as provided in Section 21-153 of the Peoria City Code; and

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 13, 2025; 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,

WHEREAS, the City Council has considered the probable impact of this Ordinance to the cost to construct housing for sale or rent in accordance with Arizona Revised Statute 9-462.01.E; and,

WHEREAS, 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) Zoning district to Planned Area Development (PAD) Zoning District.

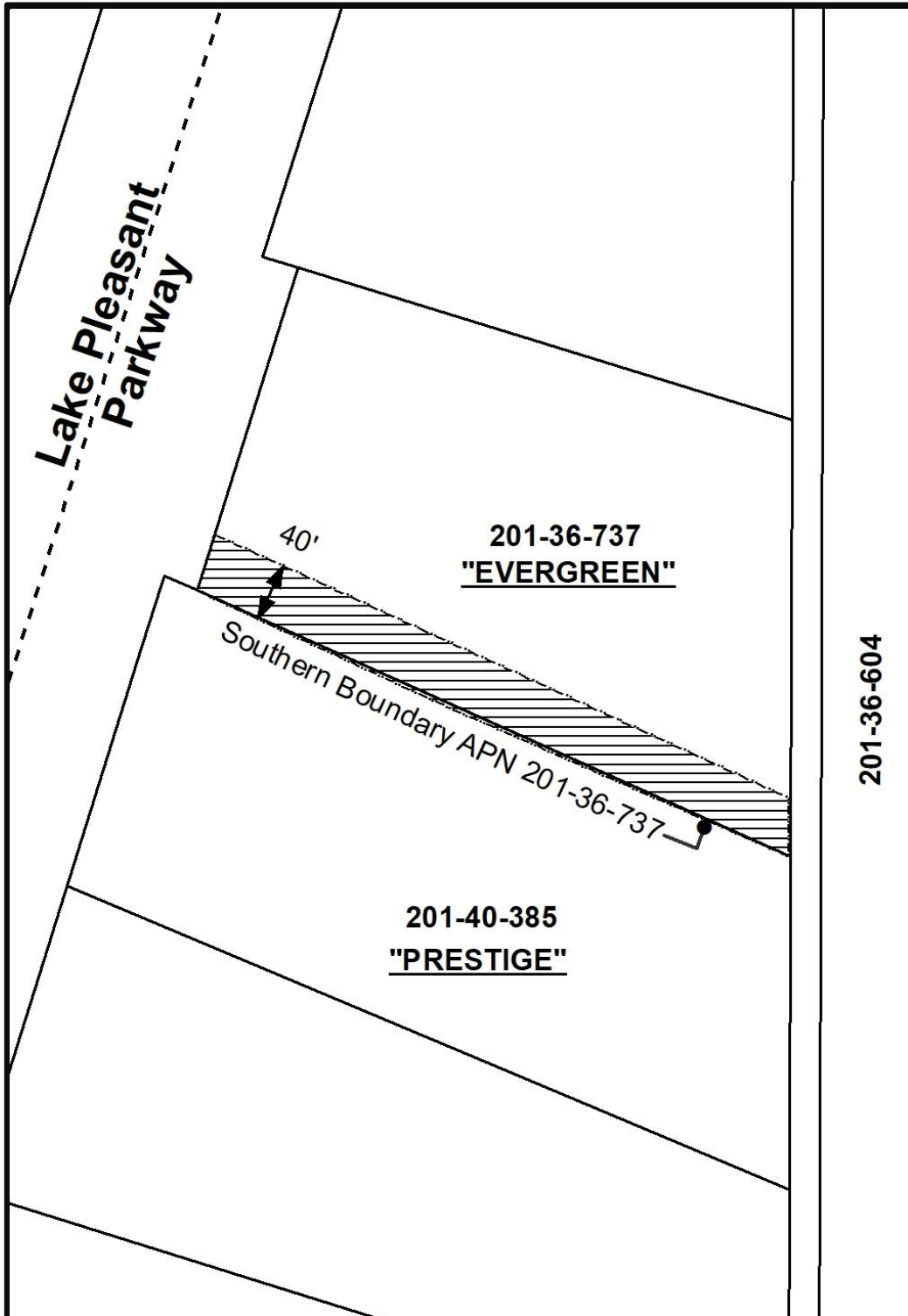
SECTION 2. The amendment to the zoning herein provided is conditioned and subject to the following stipulations:

1. Development and use of the subject site shall substantially conform to the Evergreen Business Park Planned Area Development (PAD) Standards and Guidelines Report (Exhibit 5) as contained in the staff report to the Planning and Zoning Commission dated April 3, 2025, except as follows.

2. Developer shall comply with all City of Peoria engineering design standards, policies, codes and requirements at time of development and final engineering submittal.
3. Architectural elevations, color and materials, and wall details provided therein shall be for illustrative purposes only, and may be refined during the Site Plan application process.
4. Required path and trail dedications and improvements along Lake Pleasant Parkway shall be as follows, unless otherwise approved by the City Engineer, and City Parks and Recreation Director:
 - a. Developer shall dedicated a minimum twenty (20) foot wide public trail easement along Lake Pleasant Parkway.
 - b. Within the Lake Pleasant Parkway public trail easement, the Developer shall design and construct a ten (10) foot wide concrete sidewalk and adjoining four (4) foot wide soft surface trail in conformance with the Peoria Engineering Standards Manual (PESM) and Standard Details.
5. The Developer shall construct a Left-in / Left-out (LILO) turn diverter and modify associated landscaping within the Lake Pleasant Parkway median at the shared driveway access location, unless otherwise approved by the City Engineer.
6. Access along the southern boundary of Evergreen shall be designed, dedicated, and constructed by the Developer as follows, unless otherwise approved by the City Engineer:
 - a. A minimum forty (40) foot wide public access easement from the western-most edge of site adjacent to Lake Pleasant Parkway to the eastern boundary shall be dedicated on subject site as shown in Exhibit A.
 - i. The final dimensions and geometry of the easement immediately adjacent to Lake Pleasant Parkway may be refined at the time of final engineering. However, at a minimum, the easement shall encompass all necessary improvements for the access driveway to meet the Peoria Engineering Standards Manual and Peoria Access Management Guidelines.
 - ii. If the driveway improvements are shifted southward to split between Parcel 201-40-385 (aka Prestige) and Parcel 201-36-737 (aka Evergreen), the Developer shall:
 - i. Dedicate the balance of the easement on Parcel 201-36-737 required to complete the necessary public access improvements.
 - ii. Provide documentation or cause through joint dedication by Final Plat that the reciprocal portion of the required access easement is dedicated on Parcel 201-36-385 prior to City approval of final engineering plans.
 - b. The Developer shall be responsible for the following improvements relative to the public access easement, unless otherwise agreed to by the City Engineer:

- i. Paving, curb, gutter, sidewalk, lighting, landscaping, and striping extending from Lake Pleasant Parkway to the eastern end of the driveways serving Parcel 201-40-385 (aka Prestige) and Parcel 201-36-737 (aka Evergreen).

Exhibit A



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 B, and the corresponding parcel map as shown as Exhibit C.

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 13th day of May, 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 B Legal Description

LEGAL DESCRIPTION: (TR #20000275-040-BN1-RLC) (APN 201-36-736)

THE LAND REFERRED TO HEREIN BELOW IS SITUATED WITHIN THE CITY OF PEORIA, IN THE COUNTY OF MARICOPA, STATE OF ARIZONA, AND IS DESCRIBED AS FOLLOWS:

THAT PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 5 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE CENTER OF SAID SECTION 33;

THENCE SOUTH ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 33. A DISTANCE OF 78S.61 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTH ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SECTION 33, A DISTANCE OF 392.35 FEET TO A POINT;

THENCE NORTH 72 DEGREES 48 MINUTES 40 SECONDS WEST A DISTANCE OF 406.61 FEET, MORE OR LESS, TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF THE "RIDGE ROUTE" (LAKE PLEASANT) ROAD;

THENCE NORTHERLY ALONG THE EASTERLY RIGHT OF WAY LINE OF THE AFOREMENTIONED ROAD, A DISTANCE OF 374.84 FEET, MORE OR LESS, TO A POINT WHICH IS 735.57 FEET SOUTHERLY OF THE INTERSECTION OF THE EASTERLY RIGHT OF WAY LINE OF SAID "RIDGE ROUTE" (LAKE PLEASANT) ROAD WITH THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 33 (AS MEASURED ALONG SAID EASTERLY RIGHT OF WAY LINE);

THENCE SOUTH 72 DEGREES 48 MINUTES 40 SECONDS EAST A DISTANCE OF 290.66 FEET, MORE OR LESS, TO THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 33 AND THE TRUE POINT OF BEGINNING;

EXCEPTING THEREFROM THAT PORTION DEEDED TO THE CITY OF PEORIA IN SPECIAL WARRANTY DEED, RECORDED IN RECORDING NO. 2004-130359 MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PORTION OF THE PARCEL DESCRIBED IN THE MARICOPA COUNTY RECORDER'S OFFICE DOCUMENT NO. 97-473235, LOCATED IN SECTION 33, TOWNSHIP 5 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, BEING 42.00 FEET WIDE AND LYING NORTHWESTERLY TO THE FOLLOWING DESCRIBED RIGHT OF WAY LINE:

LINE DESCRIPTION:

COMMENCING AT A BRASS CAP, STAMPED WITH R. L. S. 6177, MARKING THE SOUTHWEST CORNER OF SECTION 33, TOWNSHIP 5 NORTH, RANGE 1 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA FROM WHICH A BRASS CAP, MARKING THE WEST QUARTER CORNER OF SAID SECTION 33, BEARS NORTH 01 DEGREES 26 MINUTES 14 SECONDS WEST, 2636.47 FEET;

THENCE SOUTH 89 DEGREES 58 MINUTES 01 SECONDS EAST, 2307.85 FEET, ALONG THE SOUTH LINE OF SAID SECTION 33 TO THE POINT OF BEGINNING;

THENCE NORTH 00 DEGREES 01 MINUTES 59 SECONDS EAST, 50.00 FEET TO A LINE PARALLEL WITH AND 50.00 FEET MEASURED PERPENDICULAR NORTHERLY TO THE SOUTH LINE OF SAID SECTION 33;

THENCE NORTH 89 DEGREES 58 MINUTES 01 SECONDS WEST, 468.90 FEET, ALONG SAID PARALLEL LINE TO A LINE PARALLEL WITH AND 75.00 FEET MEASURED PERPENDICULAR SOUTHEASTERLY TO THE EXISTING RIGHT OF WAY CENTERLINE OF LAKE PLEASANT ROAD, AS SHOWN ON THE UNRECORDED RECORD OF SURVEY PREPARED FOR THE CITY OF PEORIA, BY TBE GROUP, INC., PROJECT "LAKE PLEASANT PARKWAY", AND SEALED ON JANUARY 08, 2001;

THENCE NORTH 17 DEGREES 21 MINUTES 30 SECONDS EAST, 468.66 FEET, ALONG SAID LINE PARALLEL WITH AND 75.00 FEET MEASURED PERPENDICULAR SOUTHEASTERLY TO THE EXISTING RIGHT OF WAY CENTERLINE OF LAKE PLEASANT ROAD;

THENCE SOUTH 72 DEGREES 38 MINUTES 21 SECONDS EAST, 10.00 FEET TO A PARALLEL LINE WITH AND 85.00 FEET MEASURED PERPENDICULAR SOUTHEASTERLY TO THE SAID EXISTING RIGHT OF WAY CENTERLINE OF LAKE PLEASANT ROAD;

THENCE NORTH 17 DEGREES 21 MINUTES 30 SECONDS EAST, 411.63 FEET, ALONG SAID LINE PARALLEL WITH AND 85.00 FEET MEASURED PERPENDICULAR SOUTHEASTERLY TO THE EXISTING RIGHT OF WAY CENTERLINE OF LAKE PLEASANT ROAD;

THENCE NORTH 72 DEGREES 38 MINUTES 30 SECONDS WEST, 10.00 FEET TO A LINE PARALLEL WITH AND 75.00 FEET MEASURED PERPENDICULAR SOUTHEASTERLY TO THE SAID EXISTING RIGHT OF WAY CENTERLINE OF LAKE PLEASANT ROAD;

THENCE NORTH 17 DEGREES 21 MINUTES 30 SECONDS EAST, 3230.55 FEET, ALONG SAID LINE PARALLEL WITH AND 75.00 FEET MEASURED PERPENDICULAR SOUTHEASTERLY TO THE EXISTING RIGHT OF WAY CENTERLINE OF LAKE PLEASANT ROAD;

THENCE NORTH 16 DEGREES 58 MINUTES 51 SECONDS EAST, 419.95 FEET, CONTINUING ALONG SAID LINE PARALLEL WITH AND 75.00 FEET MEASURED PERPENDICULAR SOUTHEASTERLY TO SAID EXISTING RIGHT OF WAY CENTERLINE OF LAKE PLEASANT ROAD;

THENCE SOUTH 73 DEGREES 01 MINUTES 09 SECONDS EAST, 20.00 FEET TO A LINE PARALLEL WITH AND 95.00 FEET MEASURED PERPENDICULAR SOUTHEASTERLY TO THE SAID EXISTING RIGHT OF WAY CENTERLINE OF LAKE PLEASANT ROAD;

THENCE NORTH 16 DEGREES 58 MINUTES 51 SECONDS EAST, 482.54 FEET, ALONG SAID LINE PARALLEL WITH AND 95.00 FEET MEASURED PERPENDICULAR SOUTHEASTERLY TO THE EXISTING RIGHT OF WAY CENTERLINE OF LAKE PLEASANT ROAD;

THENCE NORTH 73 DEGREES 01 MINUTES 09 SECONDS WEST, 20.00 FEET TO A LINE PARALLEL WITH AND 75.00 FEET MEASURED PERPENDICULAR SOUTHEASTERLY TO THE SAID EXISTING RIGHT OF WAY CENTERLINE OF LAKE PLEASANT ROAD;

THENCE NORTH 16 DEGREES 58 MINUTES 51 SECONDS EAST, 492.60 FEET ALONG SAID LINE PARALLEL WITH AND 75.00 FEET MEASURED PERPENDICULAR SOUTHEASTERLY TO THE EXISTING RIGHT OF WAY CENTERLINE OF LAKE PLEASANT ROAD, TO A TANGENT CURVE CONCENTRIC WITH AND 75.00 FEET SOUTHEASTERLY TO THE EXISTING RIGHT OF WAY CENTERLINE OF LAKE PLEASANT ROAD;

THENCE 15.87 FEET, NORTHERLY ALONG SAID CONCENTRIC TANGENT CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 4508.66 FEET AND A CENTRAL ANGLE OF 0 DEGREES 12 MINUTES 06 SECONDS, TO THE POINT OF TERMINATION ON THE NORTH LINE OF SAID SECTION 33, FROM WHICH AN ALUMINUM CAP, MARKING THE NORTH QUARTER CORNER OF SAID SECTION 33, BEARS NORTH 89 DEGREES 31 MINUTES 32 SECONDS WEST, 803.65 FEET, AND FROM WHICH A M. C. D. O. T. BRASS CAP, MARKING THE NORTHEAST CORNER OF SAID SECTION 33, BEARS SOUTH 89 DEGREES 31 MINUTES 32 SECONDS EAST, 1841.72 FEET.

NOTE: IT IS BELIEVED THAT THE ABOVE LEGAL DESCRIPTION CONTAINS A TYPOGRAPHICAL ERROR. PARAGRAPH 3 CONTAINS A DISTANCE OF 785.62 FEET. THIS DISTANCE SHOULD BE 788.61 FEET.

LEGAL DESCRIPTION: (TR #20000457-040-BN1) (APN 201-36-737)

THE LAND REFERRED TO HEREIN BELOW IS SITUATED WITHIN THE CITY OF PEORIA, IN THE COUNTY OF MARICOPA, STATE OF ARIZONA, AND IS DESCRIBED AS FOLLOWS:

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 5 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 33, SAID POINT BEING NORTH 1175.35 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 33;

THENCE CONTINUING NORTH 288.83 FEET TO A POINT;

THENCE NORTH 72 DEGREES 48 MINUTES 40 SECONDS WEST, 406.43 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE ON LAKE PLEASANT ROAD;

THENCE SOUTH 17 DEGREES 11 MINUTES 20 SECONDS WEST, 215.29 FEET TO A POINT;

THENCE SOUTH 65 DEGREES 46 MINUTES 55 SECONDS EAST, 495.51 FEET TO POINT OF BEGINNING.

EXCEPT THAT PORTION CONVEYED TO THE CITY OF PEORIA RECORDED IN DOCUMENT NO 2004-0320828 DESCRIBED AS FOLLOWS:

THAT PORTION OF THE PARCEL DESCRIBED IN THE MARICOPA COUNTY RECORDER'S OFFICE DOCUMENT NO. 00-0010097, LOCATED IN SECTION 33, TOWNSHIP 5 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER MERIDIAN, BEING 42.00 FEET WIDE AND LYING NORTHWESTERLY TO THE FOLLOWING DESCRIBED RIGHT OF WAY LINE:

LINE DESCRIPTION:

COMMENCING AT A BRASS CAP, STAMPED WITH R.L.S. 6177, MARKING THE SOUTHWEST CORNER OF SECTION 33, TOWNSHIP 5 NORTH, RANGE 1 EAST, OF THE GILA AND SALT RIVER MERIDIAN, FROM WHICH A BRASS CAP, MARKING THE WEST QUARTER CORNER OF SAID SECTION 33, BEARS NORTH 01°26' 14" WEST, 2636.47 FEET;

THENCE SOUTH 89°58'01" EAST, 2307.85 FEET, ALONG THE SOUTH LINE OF SAID SECTION 33 TO THE POINT OF BEGINNING;

THENCE NORTH 00°01'59" EAST, 50.00 FEET TO A LINE PARALLEL WITH AND 50.00 FEET MEASURED PERPENDICULAR NORTHERLY TO THE SOUTH LINE OF SAID SECTION 33;

THENCE NORTH 89°58'01" WEST, 468.90 FEET, ALONG SAID PARALLEL LINE TO A LINE PARALLEL WITH AND 75.00 FEET MEASURED PERPENDICULAR SOUTHEASTERLY TO THE EXISTING RIGHT OF WAY CENTERLINE OF LAKE PLEASANT ROAD, AS SHOWN ON THE UNRECORDED RECORD OF SURVEY PREPARED FOR THE CITY OF PEORIA, BY TBE GROUP, INC., PROJECT "LAKE PLEASANT PARKWAY", AND SEALED ON JANUARY 8, 2001;

THENCE NORTH 17°21'30" EAST, 468.66 FEET, ALONG SAID LINE PARALLEL WITH AND 75.00 FEET MEASURED PERPENDICULAR SOUTHEASTERLY TO THE EXISTING RIGHT OF WAY CENTERLINE OF LAKE PLEASANT ROAD;

THENCE SOUTH 72°38'21" EAST, 10.00 FEET TO A PARALLEL LINE WITH AND 85.00 FEET MEASURED PERPENDICULAR SOUTHEASTERLY TO THE SAID EXISTING RIGHT OF WAY CENTERLINE OF LAKE PLEASANT ROAD;

THENCE NORTH 17°21'30" EAST, 411.63 FEET, ALONG SAID LINE PARALLEL WITH AND 85.00 FEET MEASURED PERPENDICULAR SOUTHEASTERLY TO THE EXISTING RIGHT OF WAY CENTERLINE OF LAKE PLEASANT ROAD;

THENCE NORTH 72°38'30" WEST, 10.00 FEET TO A LINE PARALLEL WITH AND 75.00 FEET MEASURED PERPENDICULAR SOUTHEASTERLY TO THE SAID EXISTING RIGHT OF WAY CENTERLINE OF LAKE PLEASANT ROAD;

THENCE NORTH 17°21'30" EAST, 3230.55 FEET, ALONG SAID LINE PARALLEL WITH AND 75.00 FEET MEASURED PERPENDICULAR SOUTHEASTERLY TO THE EXISTING RIGHT OF WAY CENTERLINE OF LAKE PLEASANT ROAD;

THENCE NORTH 16°58'51" EAST, 419.95 FEET, CONTINUING ALONG SAID LINE PARALLEL WITH AND 75.00 FEET MEASURED PERPENDICULAR SOUTHEASTERLY TO SAID EXISTING RIGHT OF WAY CENTERLINE OF LAKE PLEASANT ROAD;

THENCE SOUTH 73°01'09" EAST, 20.00 FEET TO A LINE PARALLEL WITH AND 95.00 FEET MEASURED PERPENDICULAR SOUTHEASTERLY TO THE SAID EXISTING RIGHT OF WAY CENTERLINE OF LAKE PLEASANT ROAD;

THENCE NORTH 16°58'51" EAST, 482.54 FEET, ALONG SAID LINE PARALLEL WITH AND 95.00 FEET MEASURED PERPENDICULAR SOUTHEASTERLY TO THE EXISTING RIGHT OF WAY CENTERLINE OF LAKE PLEASANT ROAD;

THENCE NORTH 73°01'09" WEST, 20.00 FEET TO A LINE PARALLEL WITH AND 75.00 FEET MEASURED PERPENDICULAR SOUTHEASTERLY TO THE SAID EXISTING RIGHT OF WAY CENTERLINE OF LAKE PLEASANT ROAD;

THENCE NORTH 16°58'51" EAST, 492.60 FEET, ALONG SAID LINE PARALLEL WITH AND 75.00 FEET MEASURED PERPENDICULAR SOUTHEASTERLY TO THE EXISTING RIGHT OF WAY CENTERLINE OF LAKE PLEASANT ROAD, TO A TANGENT CURVE CONCENTRIC WITH AND 75.00 FEET SOUTHEASTERLY TO THE EXISTING RIGHT OF WAY CENTERLINE OF LAKE PLEASANT ROAD;

THENCE 15.87 FEET, NORTHERLY ALONG SAID CONCENTRIC TANGENT CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 4508.66 FEET AND A CENTRAL ANGLE OF 0°12'06" TO THE POINT OF TERMINATION ON THE NORTH LINE OF SAID SECTION 33, FROM WHICH AN ALUMINUM CAP, MARKING THE NORTH QUARTER CORNER OF SAID SECTION 33, BEARS NORTH 89°03'32" WEST, 803.65 FEET, AND FROM WHICH A M.C.D.O.T. BRASS CAP, MARKING THE NORTHEAST CORNER OF SAID SECTION 33, BEARS SOUTH 89°31'32" EAST, 1841.72 FEET.

**Exhibit C
Parcel Map**

