

ORDINANCE 2003 A266

AN ORDINANCE OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, ADOPTING AN AMENDMENT TO THE ZONING MAP OF THE PLANNING AND ZONING ORDINANCE FOR PARCELS 403-22-019E, -019G, AND -019H CONTAINING 7.84 ACRES FROM PAD TO THE CURRENT UNDERLYING ZONING OF C2-4 AND FOR PARCEL 403-22-019J CONTAINING 3.88 ACRES TO C2-3 AND FOR PARCEL 403-22-020A CONTAINING .24 ACRE FROM R1L-70 TO C2-4. THE LOCATION OF THE SITE IS OFF HWY 260 ON THE FRONTAGE ROAD OF MOONRISE DRIVE NEAR THE INTERCHANGE OF I-17 AND HWY 260.

WHEREAS, the Town of Camp Verde adopted the Planning and Zoning Ordinance in Ordinance 87 A23, approved July 9, 1987 and,

WHEREAS, Section 113 of the Planning and Zoning Ordinance allows for the amendment, supplement or change of zoning boundaries or zoning text regulations of the Planning and Zoning Ordinance by the Town Council and,

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE:

Section 1:

- I The Town Council here by finds as follows:
 - A. A request for **Zoning Map Change 2003-009** was filed by Matthew Morris of Casa Verde Consulting, agent for Casa Sierra Investments / Black Canyon-Camp Verde Interchange, L.P/ I-17 Cottonwood Properties LLC owners, for the purpose of **removing the PAD zoning and leaving the underlying zoning** for parcels **403-22-019E (C2-4), -019G (C2-4), -019H (C2-4) and 403-22-019J (C2-3) containing 11.8 acres and to rezone parcel 403-22-020A containing .24 acre from R1L-70 TO C2-4.** The legal descriptions are attached as **Exhibit A.**
 - B. The Zoning Map Change was reviewed by the Planning Commission on **December 4, 2003** in public hearing that was advertised and posted according to state law and by the Town Council on **December 17, 2003.**
 - C. The proposed use will not constitute a threat to the health, safety, welfare or convenience to the general public and should be approved.
- II. **Zoning Map Change 2003-09** is approved, based upon the following findings:

- A. The zoning map change will not injure the public health safety, or welfare of the general public.
 - B. The property is located adjacent to existing commercially zoned properties and is shown as Mixed Use in the Town's General Plan Land Use Map; therefore, the proposed zoning map change is consistent with State Planning Law and the requirements of the Camp Verde Zoning Ordinance.
 - C. The Town Council hereby approves **Zoning Map Change 2003-09** for the purpose of accommodating the development of the separate parcels by the separate owners.
 - D. All development will require a site plan review and approval by the Town Council.
-

Section 2. All ordinances or parts of ordinances adopted by the Town of Camp Verde in conflict with the provisions of this ordinance or any part of the code adopted, are hereby repealed, effective as of the effective date of this ordinance.

Section 3. This ordinance is effective upon completion of publication and any posting as required by law.

Section 4. 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 thereof.

PASSED AND ADOPTED by a majority vote of the Town Council in an open meeting by the Town Council, Town of Camp Verde, Arizona, on the 17th day of December 2003, to be effective when publication and posting, pursuant to ARS 9-813, is completed.

Approved: Mitch Dickinson
Mitch Dickinson, Mayor

Date: Dec. 18, 2003

Attest: Deborah Barber
Deborah Barber, Town Clerk

Approved as to form:
Julie Krieger
Julie Krieger, Town Attorney

EXHIBIT A

Legal Description for parcels 403-27-019E, -019G, -019H, -019J

EXHIBIT "A"

A portion of the SW $\frac{1}{4}$ of Section 24 and a portion of the NW $\frac{1}{4}$ of Section 25, T14N, R4E, G6S8B&M, Yavapai County, Arizona, more particularly described as follows:

BEGINNING at the NW corner of said Section 25; thence N75°10'59"E, a distance of 507.80 feet to a point on the Westerly right-of-way line of Highway 279; thence S12°17'12"E, along said right-of-way line, a distance of 1,192.33 feet; thence Southeasterly, along said right-of-way line, on a curve to the left, having a radius of 4397.18 feet, through a central angle of 04°00'32", a distance of 307.67 feet; thence N89°25'28"W, a distance of 547.91 feet; thence N01°59'41"E, a distance of 719.12 feet; thence N89°25'28"W, a distance of 313.10 feet to the Westerly boundary of said Section 25; thence N01°59'41"E, a distance of 607.81 feet to the TRUE POINT OF BEGINNING.

SUBJECT TO an easement for Ingress-Egress, 25.00 feet in width, along an existing road across the above described property.

BOOK 1597 PAGE 940

Less attached legal description (Parcel A-1)



Legal description for 403-22-020A

SOUTHWESTERN
ENVIRONMENTAL
CONSULTANTS, INC.

E-mail: info@sec-landmg.com
www.sec-landmg.com

GARDNER
99-0803CSX

**LEGAL DESCRIPTION
(Fyfee Parcel)**

A parcel of ground lying in Section 25, Township 14 North, Range 4 East, G.&S.R.M., Yavapai County, Arizona being a portion of that parcel described in a Deed recorded in Book 1647 of Official Records, Page 544, this parcel now described as follows:

Beginning at the Southeast Corner of the above referenced parcel;

THENCE NORTH along the east line of said parcel a distance of 127.63 feet;

THENCE South 82°27'40" West 84.28 feet;

THENCE South 01°41'21" East 116.62 feet to a point on the south line of said parcel;

THENCE East a distance of 80.11 feet to the **True Point of Beginning** containing 10,000 square feet, more or less.

Subject to all easements and rights-of-way that might affect the above described parcel.

NOTE: No boundary survey was performed on the above described parcel.
Legal description derived from the document referenced.



THENCE North 00°31'53" East along said proposed right-of-way line a distance of 115.07 feet to a point of curvature, the central point of which lies North 89°28'05" West 388.10 feet;

THENCE through a central angle of 14°56'50" along said proposed right-of-way line on a curve to the left an arc length of 101.25 feet;

THENCE North 23°01'51" East along said proposed right-of-way line a distance of 32.90 feet;

THENCE North 77°20'48" East 200.17 feet to the **True Point of Beginning** containing 63555 square feet (1.46 acres), more or less.

Subject to all easements and rights-of-way that might affect the above described parcel.





GARDNER
99-0803CSX

LEGAL DESCRIPTION
(Parcel A-1)

A tract of land lying in Section 25, Township 14 North, Range 4 East, G.& S.R.M., Yavapai County, Arizona described as follows:

Commencing at a found 1964 BLM Brass Cap Monument at the Northwest Corner of Section 25 from which, a found 5/8 inch steel pin locally accepted as the West Quarter Corner of Section 25 lies South 01°56'49" West (Basis of Bearings – Geodetic per GPS observation) a distance of 2653.89 feet;

THENCE North 75°04'49" East 501.67 feet to a set 5/8 inch rebar with plastic cap stamped "SEC RLS 13015" on the westerly right-of-way line of State Route 260 from which, a found ADOT aluminum cap monument stamped "STA 160+86.00 1967" lies North 12°21'45" West 1231.83 feet;

THENCE South 12°21'45" East along said right of-way line a distance of 1192.33 feet to a found ADOT aluminum cap monument stamped "STA 136+61.26" at a point of curvature, the central point of which lies North 77°38'15" East 4397.18 feet;

THENCE through a central angle of 00°04'39" on a curve to the left along said right-of-way line an arc length of 5.94 feet to a point of intersection with a proposed 60-foot right-of-way line and the **True Point of Beginning**;

THENCE continuing along said right-of-way line of State Route 260 through a central angle of 03°55'21" an arc length of 301.03 feet to a set 5/8 inch rebar with plastic cap stamped "SEC RLS 13015" at the Southeast Corner of a parcel as described in Book 2774 of Official Records, Page 717 from which, a found stone with a "+" on top and "1/16" scribed on the north face lies South 89°33'21" East 1791.95 feet, said monument accepted as the Southeast Corner of the North Half of the Northwest Quarter of Section 25, also from which, a 1 1/2 inch brass cap stamped "N 1/16 S26/S25 2002 SEC RLS 13015" lies North 89°33'21" West 861.27 feet, said monument was set to represent the Southwest Corner of the North Half of the Northwest Quarter of Section 25;

THENCE North 89°33'21" West along the south line of the parcel previously referenced a distance of 271.91 feet to a point of intersection with the easterly right-of-way line of proposed 60 foot easement;

