

ORDINANCE NUMBER 577

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, YAVAPAI COUNTY, ARIZONA, AMENDING THE ZONING MAP OF THE CITY OF COTTONWOOD, ARIZONA, FOR A PARCEL OF LAND TOTALING APPROXIMATELY THREE ACRES LOCATED AT THE SOUTHEAST CORNER OF WEST MINGUS AVENUE AND CANDY LANE, FROM R-1 (SINGLE-FAMILY RESIDENTIAL) TO PAD (PLANNED AREA DEVELOPMENT).

WHEREAS, the Planning & Zoning Commission held a public hearing on April 18, 2011, concerning the rezoning of property and has recommended approval of this request as presented to the City Council, and the requirements of A.R.S. § 9-462.04 have been met.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, YAVAPAI COUNTY, ARIZONA, AS FOLLOWS:

**Section 1:** That the following described parcels of land lying within the City of Cottonwood, Yavapai County, Arizona, shall be and are hereby reclassified from R-1 (Single Family) to PAD (Planned Area Development):

CANDY LANE & MINGUS AVENUE

A parcel of land located in the SE¼ of Section 33, T16N, R3E, G&SRB&M, Yavapai County, Arizona, more particularly described as follows:

Commencing at the SE corner of the NE¼ of said Section 33, from which the NE corner of said NE¼ bears N01°37' 18"E, a distance of 2641.68 feet; thence N01°37'18"E, along the east line of said NE¼, a distance of 43.46 feet; thence S72°20'57"W, a distance of 57.50 feet; thence S89°29'13"W, a distance of 306.16 feet; thence S02°08'22"W, along an existing fence, a distance of 183.62 feet; thence N89°38'56"W, along the north line of the parcel of land described in Book 3343, Page 714, Official Records of Yavapai County, a distance of 341.29 feet and the TRUE POINT OF BEGINNING; thence S00°34'58"W, along the west line of said parcel, a distance of 225.94 feet; thence N89°20'21"W, a distance of 90.37 feet; thence N89°15'31"W, a distance of 129.28 feet; thence N89°29'51"W, a distance of 118.25 feet; thence N03°43'05"E, along an east line of Candy Lane as described in Book 1813, Page 803, Yavapai County records, a distance of 167.61 feet; thence N00°02'02"W, along an east line of said Candy Lane, a distance of

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196.19 feet; thence N89°35'58"E, along a south line of Mingus Avenue, as described in Book 389, Page 241, Yavapai County records, a distance of 330.89 feet to a ½" rebar with cap "LS #19853"; thence S00°34'58"W, a distance of 143.60 feet to the TRUE POINT OF BEGINNING.

The above described parcel contains 2.7878 acres more or less.

**Section 2:** That the Planning and Zoning Commission and City Council have determined the following items necessary as conditions of the zoning approval to protect the public health, safety and general welfare:

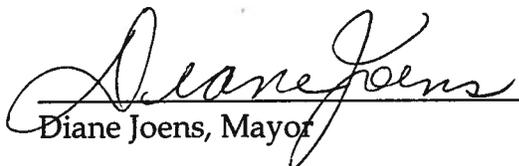
1. That the use comply with the Master Development Plan dated 3/30/11.
2. That the applicant work with Staff to provide for a transit stop at this location.
3. That the applicant submit an alternative to the use of horizontal bars on the upper deck enclosures.
4. That the applicant address all other Code Review comments from the meeting of 3/8/11.
5. That the applicant submit revisions to the final site plan which address improvements along Candy Lane (including the sidewalk, left turn bay, transit bay and residential access) for Staff review and approval prior to plan submittal.

**Section 3:** The zoning map shall be amended to reflect this zone change only upon compliance with all zoning conditions set forth herein.

**Section 4:** That at least three (3) copies of the zoning map of the City of Cottonwood, Arizona, as hereby amended be kept in the office of the City Clerk for public use and inspection.

**Section 5: Severability:** That if any section, subsection, sentence, clause, phrase or portion of this ordinance adopted herein is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such a decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR OF THE CITY OF COTTONWOOD, YAVAPAI COUNTY, THIS 7TH DAY OF JUNE 2011

  
Diane Joens, Mayor

ATTEST:

  
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Marianne Jimenez, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Steve Horton, Esq.  
City Attorney

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