ORDINANCE NUMBER 587

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 8.060 ACRES, LOCATED AT 533 NORTH WILLARD STREET, APN 406-42-007, SO AS TO CHANGE CERTAIN DISTRICT BOUNDARIES AND CLASSIFICATIONS THEREOF FROM THE PRESENT ZONING OF R-1 (SINGLE FAMILY RESIDENTIAL) TO PAD (PLANNED AREA DEVELOPMENT).

WHEREAS, the Planning & Zoning Commission held a public hearing on August 15, 2012, concerning the rezoning of property owned by Northern Arizona Healthcare Corporation and has recommended approval of this request; and

WHEREAS, 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 (APN 406-42-007) lying within the City of Cottonwood, Yavapai County, Arizona, shall be and are hereby reclassified from R-1 (Single Family Residential) to PAD (Planned Area Development), subject to the applicant's compliance with the conditions and stipulations set forth below under Section 2.

Legal Description

APN 406-42-007

PARCEL 1

That certain parcel of land described in Book 343 of Official Records, Page 297-298, hereinafter referred to as R1, EXCEPT that portion of said parcel conveyed as right of way to the Town of Cottonwood through instrument recorded in Book 388 of Official Records, Page 186-188, and EXCEPT any portion of that certain parcel of land set forth in Book 1031, Page 135, all situated in the Northwest quarter of Section 34, Township 16 North, Range 3 East of the Gila and Salt River Base and Meridian in the City of Cottonwood, Yavapai County, Arizona, and described by metes and bounds as follows: COMMENCING, for reference, at the Northwest corner of said section 34;

THENCE South 01 38'54" West a distance of 1320.84 feet to the Southwest corner of the Northwest quarter of the Northwest quarter of Section 34 (Basis of Bearing as per Book153 of Surveys, Page 66, hereinafter referred to as R2);
THENCE continuing South 01 38'54" West a distance of 162.16 feet to the Southwest corner of said R1;
THENCE South 88 16'09" East a distance of 7.64 feet to the intersection of the South line of R1 with the Easterly right of way of Willard Street and the TRUE POINT OF BEGINNING of this description;
THENCE North 39 24'10" East along said easterly right of way line, a distance of 446.77 feet to the beginning of a curve concave to the Northwest;
THENCE along said curve the arc length of which is 227.28 feet, the radius of which is 507.50 feet, through a central angle of 25 39'34", the cord of which bears North 27 41'31" East for a chord length of 225.39 feet to the Southwest corner of that certain parcel of land set forth in Book 3828, Page 480;
THENCE North 36 01'21" East a distance of 105.07 feet to an angle point in said parcel;
THENCE South 68 57'48" East a distance of 214.24 feet to the Southeast corner of said parcel;
THENCE South 20 28'08" West a distance of 150.00 feet to the Southwest corner of that certain parcel of land set forth in Book 3128, Page 509;
THENCE South 69 35'17" East a distance of 50.00 feet to the Southeast corner of said parcel;
THENCE South 71 12'51" East a distance of 295.90 feet;
THENCE South 01 03'06" West a distance of 135.68 feet;
THENCE South 00 48'53" West a distance of 191.77 feet;
THENCE North 88 16'09" West a distance of 396.80 feet;
THENCE North 01 43'51" East a distance of 220.00 feet;
THENCE North 88 16'09" west a distance of 180.00 feet;
THENCE South 23 18'27" West a distance of 236.55 feet;
THENCE North 88 16'09" West a distance of 258.03 feet to the point of Beginning.

PARCEL 2

That certain parcel of land referred to in Book 1015, Page 87, hereinafter referred to as R7, said parcel is situated in the Northwest quarter of Section 34, Township 16 North, Range 3 East of the Gila and Salt River Base and Meridian in the City of Cottonwood, Yavapai County, Arizona, and described by metes and bounds as follows:
COMMENCING, for reference, at the Northwest corner of said Section 34;
THENCE South 01 38'54" West a distance of 1320.84 feet to the Southwest corner of the Northwest quarter of the Northwest quarter of Section 34 (Basis of Bearing as per Book153 of Surveys, Page 66, hereinafter referred to as R2);
THENCE South 56 41'51" East a distance of 309.72 feet to the TRUE POINT OF

BEGINNING of this description;
THENCE South 88 16'09" East a distance of 267.00 feet;
THENCE North 01 43'51" East a distance of 220.00 feet;
THENCE North 88 16'09" West a distance of 180.00 feet;
THENCE South 23 18'27" West a distance of 236.58 feet to the point of beginning.
THE combined area of Parcels 1 and 2 is 8.060 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 project be developed in conformance with the Master Development Plan dated July 17, 2012.
2. That administrative permits be obtained for all signs.
3. That the sign submittal shall include a monument sign.
4. That revisions to the Master Development Plan be provided prior to issuance of building permits.
5. That all outdoor lighting meet the Dark Sky Ordinance.
6. That additional plantings be added along North Willard Street to cover the spill slope area adjacent to the old sidewalk.

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 18TH DAY OF SEPTEMBER 2012.

Diane Joens, Mayor

ATTEST:

Marianne Jiménez, City Clerk

APPROVED AS TO FORM:

Steve Horton, Esq.
City Attorney

Publish: Verde Independent: September 21 & 28, 2012.