

“SIERRA PRIETA GREENWAY ROAD PUD”

ORDINANCE NO. G-5588 ADOPTED FEBRUARY 2, 2011 AND ORDINANCE G-5597 ADOPTED MARCH 16, 2011 AMENDING ORDINANCE G-5588 TO CORRECT ATTACHMENT A - LEGAL DESCRIPTION

REZONE REQUEST FROM RE-35 TO PLANNED UNIT DEVELOPMENT

CASE NO: Z-50-09-3

PARCELS: 208-14-015; -018A; -018B; -019A; AND -019B



**SUBMITTED BY:
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DEVELOPMENT TEAM

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PLANNED UNIT DEVELOPMENT DISCLAIMER

A Planned Unit Development (PUD) is intended to be a stand-alone document of zoning regulations for a particular project. Provisions not specifically regulated by the PUD are governed by the zoning ordinance. A PUD may include substantial background information to help illustrate the intent of the development. The purpose and intent statements are not requirements that will be enforced by the City. The PUD only modifies zoning ordinance regulations and does not modify other City Codes or requirements. Additional public hearings may be necessary such as, but not limited, to right-of-way abandonments.

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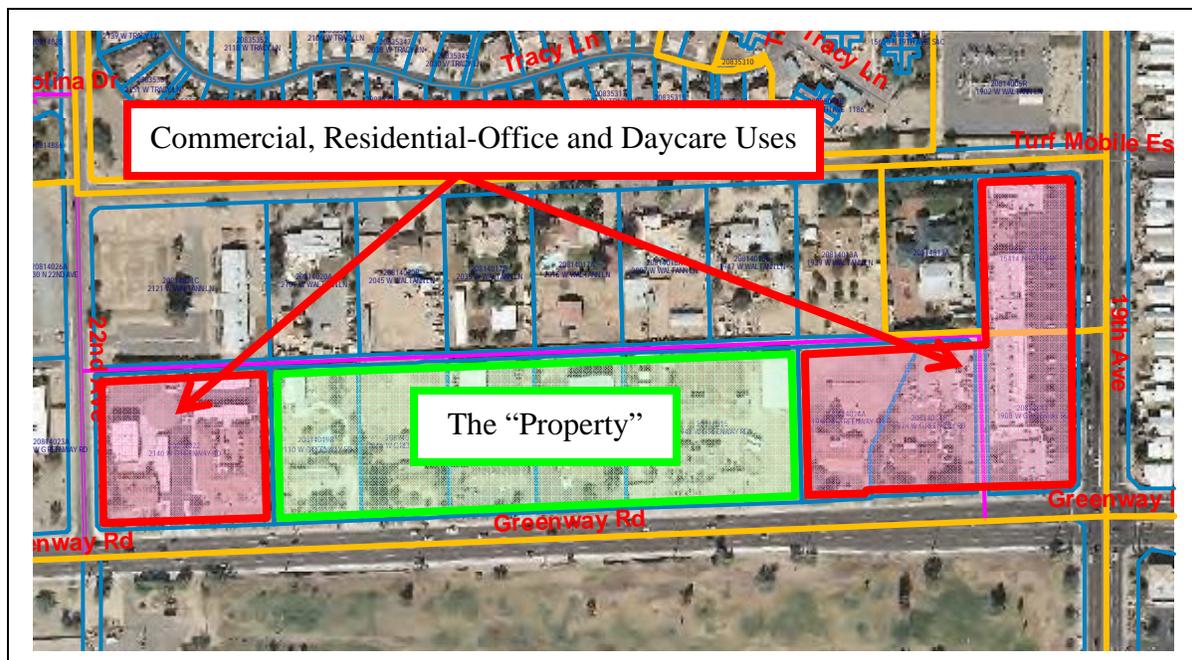
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A. PURPOSE AND INTENT

Project Overview

This Planned Unit Development (PUD) rezones approximately 7.64 gross acres (the “Property”), immediately bound by Greenway Road to the south, and generally bound by 19th Avenue to the east and 22nd Avenue to the west, from Single-Family Residential RE-35 to Planned Unit Development to allow for small-scale professional offices and limited services.

Over the years, the properties located along Greenway Road from 19th to 22nd Avenues have transitioned from strictly residential to a mix of uses including a preschool in an existing single-family home, and through the rezoning process, two residential offices: one restricted to the existing single-family home and a large multi-office complex built in 2001. In addition, the Moon Mountain Shopping Center, zoned Intermediate Commercial C-2, features 20,000 square-feet of commercial space located along 19th Avenue from Greenway Road to Waltann Lane. Of the properties along Greenway Road from 19th to 22nd Avenues and along 19th Avenue from Greenway Road to Waltann Lane, more than half, by acreage, constitute commercial, residential office or daycare uses.



Goals

Consistent with the aforementioned commercial and residential office trend, the Development Team requests a zone change to advance the Property’s owners goal to allow for small-scale professional offices and limited services. The following points reflect this goal:

- Provide land uses that compliment the surrounding community aesthetically, socially and economically, while avoiding conflicting, damaging or otherwise unwanted land uses from compromising the overall character of the Property and neighborhood.
- Promoting re-tasking within high traffic impact areas.
- Provide a mixed use development of a scale, sensitivity and intensity that reflects the adjacent residential uses.
- Accommodate the development of new small-scale professional offices and limited services under strict performance standards to mitigate negative impacts of such development.
- Maintain the existing buffer between the quiet residential neighborhood and the high traffic volume on Greenway Road while introducing stable, low intensity service and employment opportunities.

Overall Design Concept

Use Categories

The *Small-Scale Professional Offices* and *Limited Services* land use category is intended to provide office and limited service uses, which are more specifically described in **Section G – District Restrictions and Permitted Uses**.

Themes

The permitted uses and development standards as set forth herein ensure the character of the development closely resembles the neighborhood’s defining large lot, single-family residential character and architecture.

B. SITE CONDITIONS AND LOCATION

This PUD is for approximately 7.64 gross acres fronting Greenway Road to the south. The Property is bound to the north by an alley bifurcating Greenway Road and Waltann Lane. Further, the Property is generally bound by 19th Avenue to the east and 22nd Avenue to the west. Except as set forth herein, the properties will be independently accessed via existing drives from Greenway Road, which is an arterial roadway as defined by the City of Phoenix Street Classification Map.

The Property is relatively flat without major washes and drainage concerns.

C. LAND USE PLAN

This PUD allows for small-scale and professional offices and limited service uses that take advantage of the economic opportunities associated with fronting an arterial roadway. While the PUD calls for some flexibility regarding land uses, the pattern of development is established through the development standards ensure appropriate setbacks, lot coverage and landscape buffers and compatibility with adjacent land uses. It is the intent of this PUD to promote uses that are developed in a manner that forms a transition between the high traffic volume on Greenway Road and the quiet residential neighborhood.

This PUD allows the Property's owners the flexibility of converting the existing residential structures for use of small-scale professional offices and limited service uses, provided that appropriate performance standards are implemented to protect the surrounding residential properties.

See Section D - Land Use Plan Exhibit .

D. LAND USE PLAN EXHIBIT



E. GENERAL PLAN CONFORMANCE

The City of Phoenix General Land Use Designation for the Property is Commercial. This PUD meets the following General Plan: Growth Area, Land Use and Neighborhood Element Goals and Policies:

1. GROWTH AREA ELEMENT

- **Goal 1** – Growth: Maintain a **high quality of life** and **economically healthy community**.

By providing employment opportunities in close proximity to local neighborhoods, this PUD supports a stronger linkage between home and work, as well as reduces commute time and vehicle miles traveled. This PUD promotes future sales tax generation that is tightly linked to providing retail opportunities close to residential and employment areas.

- **Goal 2** – **Employment and Population Balance**: Development of each Village’s potential should be encouraged by **distributing a diversity of employment and housing in a way that achieves a balanced citywide plan** and that is consistent with commute travel patterns and the current character of each developed village.

This PUD will help implement this goal by creating jobs associated with commercial services in an area consisting of single-family residential development. Additional employment opportunities will balance population and employment while allowing members of the community to work within their village.

2. LAND USE ELEMENT

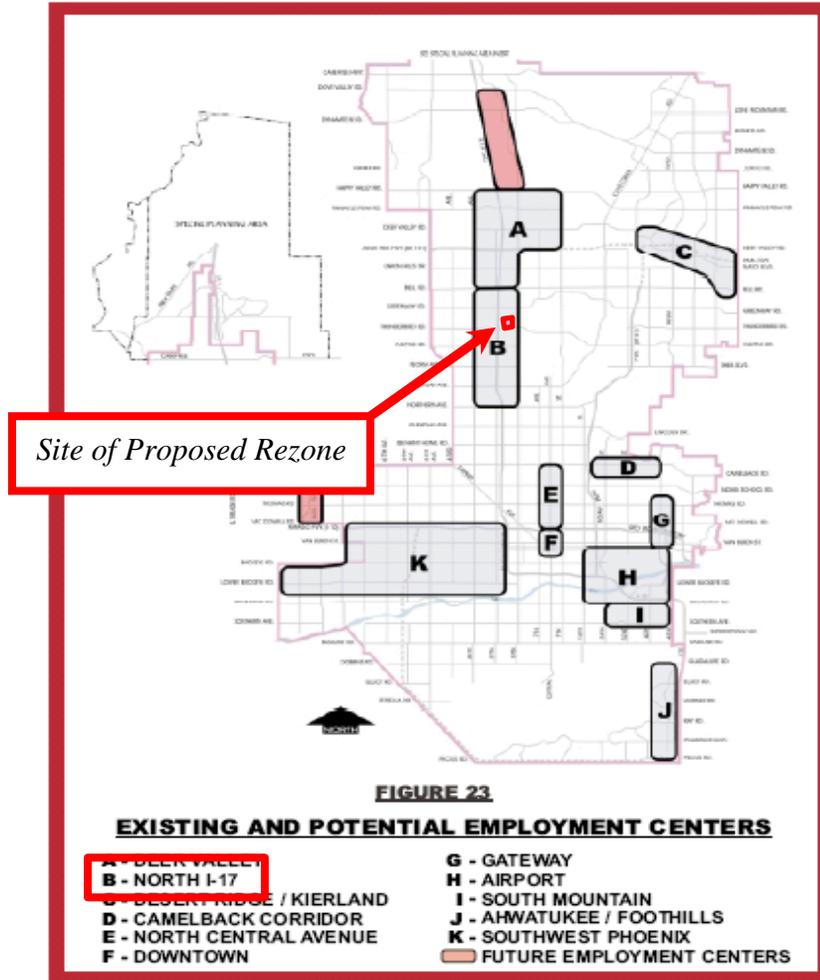
The “Land Use Element” recommends how “Phoenix should grow within its boundaries to have a rational urban form (the urban village model), promote infill and **be compatible with its neighbors**.”

- **Goal 1** – **Urban Form**: Growth should be structured into a series of urban villages characterized by the five components of the urban village model: core, neighborhoods, community service areas, regional service areas and open space.
- **Policy No. 5**: Provide support services such as schools, parks, **small-scale office** and stores **compatible with the neighborhood residential character**.

The PUD allows for small-scale professional offices and limited service uses that recognize the City of Phoenix’s vision to promote strong, healthy neighborhoods and to preserve their unique character. The permitted uses and

stringent development standards, specifically the required yard setbacks and maximum building height ensure that the Property will retain the neighborhood’s defining large lot, single-family residential character.

- **Policy 2 – Focus on increasing employment opportunities** in the Maryvale, **North I-17** and Desert View Village core area and vicinity (See Below Figure).



In addition to being consistent with the surrounding existing uses, this PUD supports General Plan: Growth Area, Figure 23, which designates the Property within the “North I-17 Potential Employment Center” and the following General Plan: Land Use Policy.

3. NEIGHBORHOOD ELEMENT

- **Goal 2 – Compatible Neighborhood Development:** New development and expansion or **redevelopment of existing development in or near residential areas should be compatible with existing uses** and consistent with adopted plans.
- **Policy No. 1:** Encourage new land uses that are specifically supported by the General Plan, or a city-adopted area or specific plan. Unless the proposed use is supported by an adopted plan, non-residential land uses that do not serve the neighborhood and are not compatible in both scale and character with the surrounding residential area, should not be permitted adjacent to planned or existing residential development.
- **Policy No. 3:** Create new development of **redevelopment that is sensitive to the scale and character of the surrounding residential neighborhoods and incorporates adequate development standards to prevent negative impact(s) on the residential properties.**

This PUD is supported by the General Plan which calls for transitional land uses on single-family residential properties adjacent to streets carrying high volumes of traffic. The Property is located on Greenway Road, a major arterial, and is ideally suited for the conversion to small-scale professional offices and limited service uses.

In addition to buffering the impacts of Greenway Road from the single family residences located north of the Property, this PUD recognizes and respects the desired scale, character and land use classification of the adjacent residential properties. The surrounding residential neighborhood will not be adversely impacted given the permitted uses and development standards in this PUD. This PUD and subsequent use, and even the potential redevelopment in the future, will enhance and preserve the economic viability of the Property.

F. ZONING AND LAND USE COMPATIBILITY

The Property is currently zoned city of Phoenix RE-35. The properties immediately north of the Property are existing single-family residences zoned city of Phoenix RE-35. Immediately east of the Property is an existing day care zoned city of Phoenix RE-35. South of the Property is an existing golf course zoned city of Phoenix S-1. Immediately west of the Property is an existing residential office zoned city of Phoenix R-O.

Moving farther outward, north of the Property are existing townhomes zoned city of Phoenix R-2. East of the Property is an existing residential office zoned R-O and a commercial zoned city of Phoenix C-2. West of the Property are existing residences zoned Maricopa County Rural-43. (*See Exhibit “D” – Existing and Proposed Zoning Map*)

G. DISTRICT RESTRICTIONS AND PERMITTED USES

A. District Restrictions. Unless otherwise specifically provided in **Section H – Residential Development Standards**, the following restrictions shall apply to this district:

1. All commercial uses are restricted to closed building except parking lots or as noted in **Section G – District Restrictions and Permitted Uses.B.**
2. Outdoor displays are prohibited in any yard.
3. Smoke, gas and odor emissions shall comply with Regulation III of the Maricopa County Air Pollution Control Rules and Regulations.
4. The average noise level, measured at the property line, shall not exceed fifty-five dB (1dn) when measured on an “A weighted” sound level meter and according to the procedures of the Environment Protection Agency.
5. Outdoor lighting shall be shield so that:
 - a. No source of illumination is directly visible from a public street or from residentially zoned property.
 - b. Light intensity does not exceed one footcandle on any adjacent residentially zoned property.
6. Outside storage of material or supplies is prohibited, except as noted in **Section G – District Restrictions and Permitted Uses.B.**
7. Drive-up or drive-through facilities are prohibited.
8. No Large Scale Commercial Retail (as defined by Section 202 of City of Phoenix Zoning Ordinance) uses are permitted.

B. Permitted Uses

1. Animal Grooming (subject to a use permit).
2. Antique Shop.
3. Assisted Living Home.
4. Barbers and Beauty Shops.
5. Caterers.
6. Places of worship, including parish houses, parsonages, rectories, and convents and dormitories.

7. Coin Dealers.
8. Contractor, Offices.
9. Day Care Centers.
10. Group Home for the Handicapped.
11. Guesthouse.
12. Interior Decorators, Display.
13. Nursery School.
14. Offices for Administrative, Clerical, or Sales Services.
15. Offices for Professional Use (as defined by Section 202 of the City of Phoenix Zoning Ordinance).
16. Personal Care Home.
17. Photographers, Commercial Studios.
18. Residential, Single-Family.
19. Restaurant (subject to a use permit).
(Outdoor dining not to exceed 10% of the gross square-footage of primary structure – Subject to a use permit).
20. Tack and Feed, with accessory retail sales auxiliary outdoor storage for tack and feed permitted. Storage shall not exceed 20% lot coverage and 8-feet in height.
21. Tile Design Firm with accessory retail sales.
22. Tutoring Services.
23. Veterinary, Offices. Such offices shall be so constructed and operated as to prevent objectionable noise and odor outside the walls of the office. There shall be no boarding or keeping of animals except for short periods of observation incidental to care.

H. RESIDENTIAL DEVELOPMENT STANDARDS

1. Single-family residential; places of worship, including parish houses, parsonages, rectories, and convents and dormitories; group homes; and guesthouses are subject to Section 609 Use and Development Standards – Subdivision Development Option.

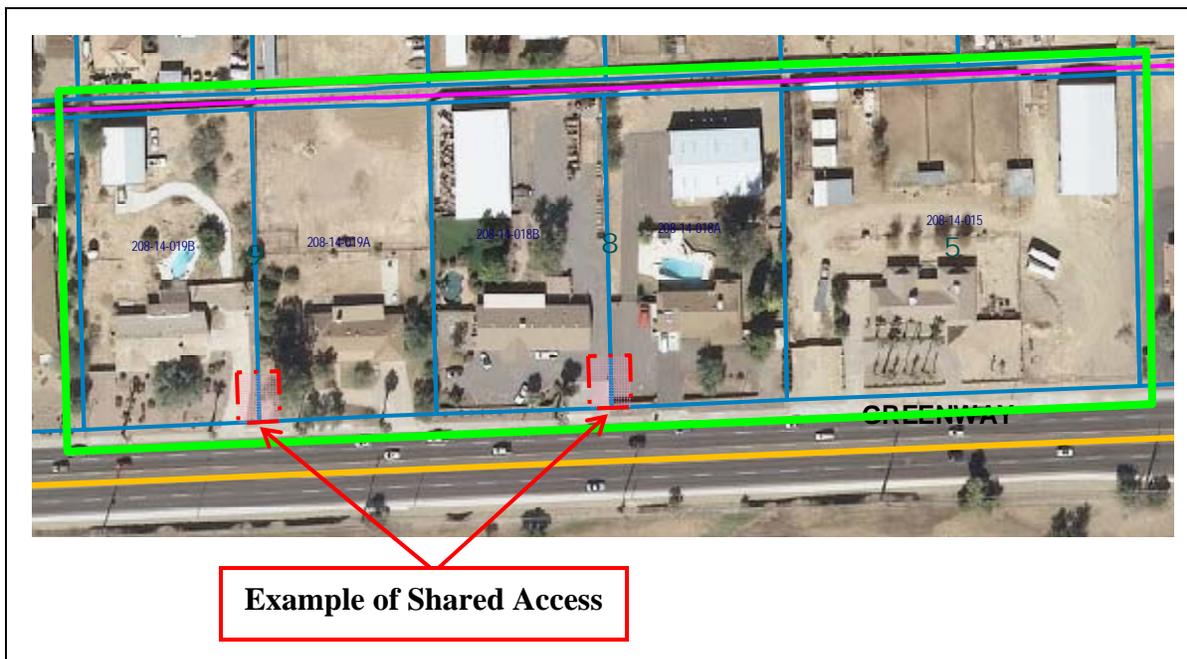
I. SMALL-SCALE PROFESSIONAL OFFICES AND LIMITED SERVICES DEVELOPMENT STANDARDS

A. Yard, Height and Area Requirements. The following criteria provide the minimum performance standards by which the Site Planning Division will review the site plan.

1. A front yard setback for primary structures shall have a depth of not less than 40-feet.
2. A side yard setback for primary structures shall have a depth of not less than 20-feet.
3. A rear yard setback for primary structures shall have a depth of not less than 40-feet which depth may be measured from the centerline of the existing alley.
4. Lot Coverage: Lot coverage shall not exceed 25 percent (25%) of the net lot area exclusive of the first three (3) feet of roof overhang and carports. Open carports shall not exceed ten percent (10%) of the net lot area.
5. Building height is limited to 25-feet. Height is measured from finished grade or as from grade approved by the Site Planning Division.
6. Access to site is to be from an arterial street. No access shall be provided from an alley.
7. Parking shall not be permitted in the required front yard setback.
8. Maneuvering shall be permitted in required yard setbacks.
9. Alternative paving surface permitted in parking and maneuvering areas.
10. Parking and maneuvering in an alley is prohibited.
11. Except for uses specified in **Section H – Residential Development Standards**, the following shall apply to all permitted uses:
 - a. For lots fronting on a public street, no fence or freestanding wall within or bounding the required front and rear yards shall exceed a height of 40-inches.
 - (1) Walls shall be of a decorative block or other finish consistent with the use.
 - b. When also in accordance with **Section I – Small Scale Professional Offices and Limited Services Development Standards.10b**, an 8-foot solid fence or freestanding wall shall be constructed along all side and rear property lines shared with properties zoned or used for single-family residential uses, if a fence does not exist at the time of development.

(1) This requirement can be waived in writing by the owner of the property zoned or used for single-family residential uses adjacent to side property lines only. Waiver shall be recorded with the Maricopa County Recorder's Office.

c. A shared driveway(s) shall be provided at the time when two (2) or more properties with existing abutting driveways convert to any use other than those specified in **Section H – Residential Development Standards**.



d. Deliveries between the hours of 10 p.m. and 6 a.m. are prohibited.

12. A rear yard landscape setback not less than 10-feet in depth shall be provided adjacent to properties zoned or primarily used for single-family residential purposes.

a. Except as provided in **Section I – Small Scale Professional Office and Limited Services Development Standards.A.11**, landscaping adjacent to rear property lines shall be provided as follows:

(1) Minimum 2-inch caliper drought resistant tree spaced 20-feet on-center or in equivalent groupings.

(2) A minimum five (5) 5-gallon drought resistant shrubs per tree.

13. Landscaping, when required, shall consist of both an appropriate placement of shrubs and trees so as to create a setting for uses which can enhance the visual attractiveness of the site and to offer a desirable transition to other uses. All landscaped areas shall be

supplied with an appropriate watering system. Plant materials shall be maintained in a living condition and shall be selected on the basis of minimizing water consumption, the provision of shade and visual screening where appropriate, and enhancement of the site development.

a. Adjacent to public street right-of-way, the landscaping shall be provided as follows:

- (1) A minimum landscape yard setback of 30-feet shall be provided.
- (2) Minimum 2-inch caliper drought resistant tree placed 20-feet on-center or in equivalent groupings, and;
- (3) A minimum five (5) 5-gallon drought resistant shrubs per tree.

14. Lighting shall be subject to the Section 704.

15. Signs shall be subject to Section 705 except as follows:

- a. No more than three (3) monument signs shall be allowed as shown in the conceptual sign details.
- (1) One (1) monument sign shall be allowed on the 2-acre property (2002 West Greenway Road).
 - (2) One (1) monument sign shall be placed adjacent to each of the shared driveways identified on the “Conceptual Site and Landscape Plan” so that each monument sign is shared by the two (2) parcels that share a driveway.

B. Development Review Approval.

1. Developments to be developed under the regulations of this PUD will require development review approval subject to the provisions of Section 507.

J. PHASING PLAN

No phasing plan is currently proposed, however the redevelopment of the properties will take place over time.

All standards not expressed herein shall conform to the regulations outlined within the City of Phoenix Zoning Ordinance.

EXHIBITS

Exhibit A. Legal Description

See Following Page.

August 17, 2010
Rick No. 4109
SCB

GROSS DESCRIPTION

Lot 5, Lot 8 and Lot 9 of SIERRA PRIETA ESTATES as recorded in Book 112 of Maps, Page 24 of Maricopa County records, located in the Southeast quarter of Section 1, Township 3 North, Range 2 East, Gila and Salt River Meridian, Maricopa County, Arizona, being more particularly described as follows:

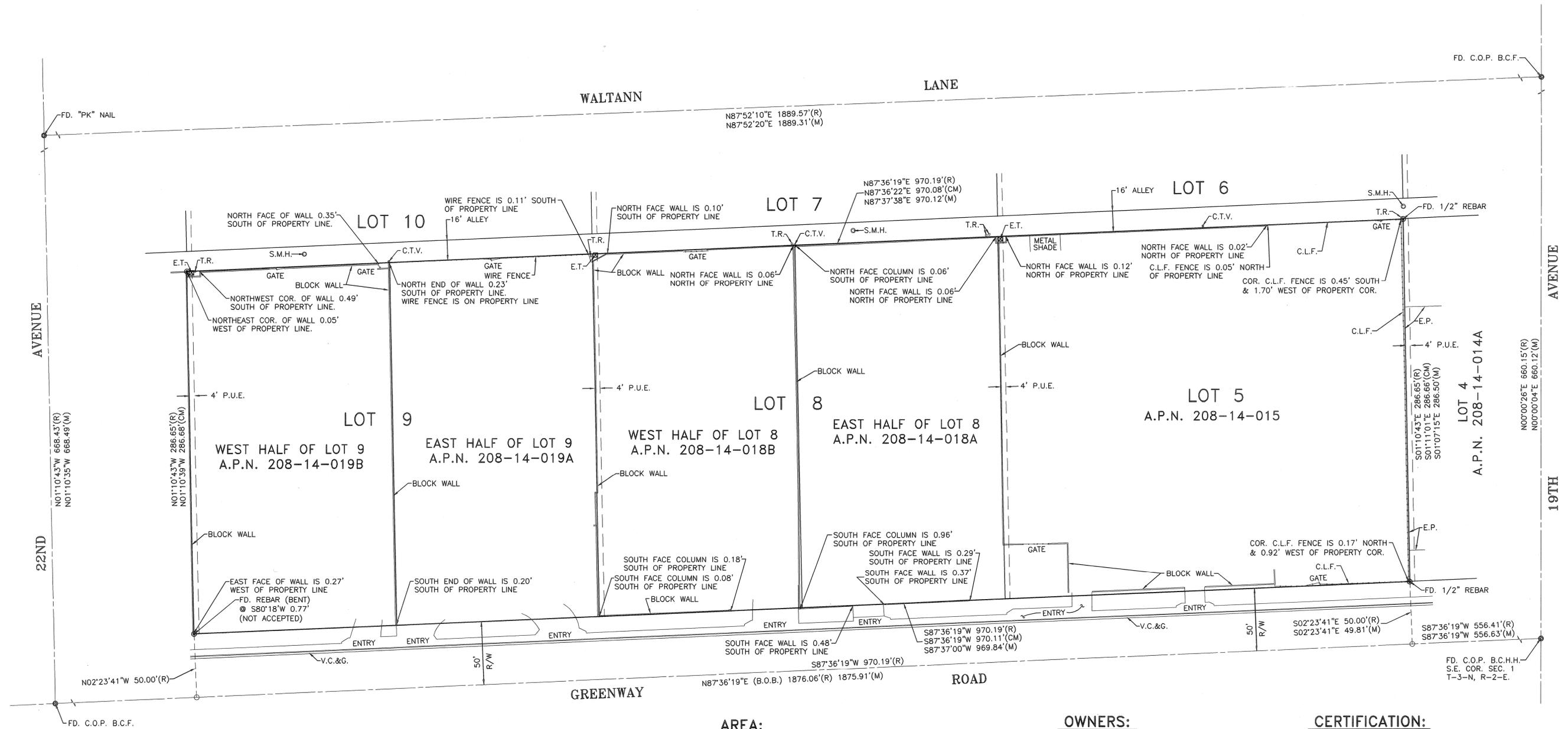
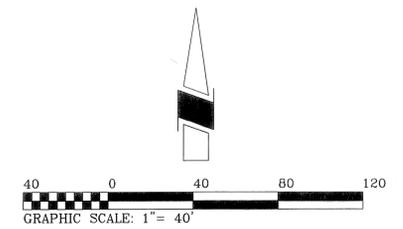
COMMENCING at the Southeast corner of said Section 1, as recorded in said Book 112 of Maps, Page 24;
THENCE South 87 degrees 36 minutes 19 seconds West, along the South line of said Section 1 and along the monument line of Greenway Road, a distance of 556.41 feet to the POINT OF BEGINNING;
THENCE continuing South 87 degrees 36 minutes 19 seconds West, along said section line and said monument line, 970.19 feet;
THENCE North 02 degrees 23 minutes 41 seconds West, 50.00 feet to the Southwest corner of the aforementioned Lot 9;
THENCE North 01 degree 10 minutes 43 seconds West, along the West line of said Lot 9, a distance of 286.65 feet to the Northwest corner of said Lot 9;
THENCE North 87 degrees 36 minutes 19 seconds East, 970.19 feet to the Northeast corner of the aforementioned Lot 5;
THENCE South 01 degree 10 minutes 43 seconds East, along the East line of said Lot 5, a distance of 286.65 feet;
THENCE South 02 degrees 23 minutes 41 seconds East, 50.00 feet to the POINT OF BEGINNING. Subject parcel comprising 7.497 acres (326,551 square feet), more or less, and subject to all easements of record.



Expires: 09-30-10

RESULTS OF SURVEY

LOT 5, LOT 8, AND LOT 9, SIERRA PRIETA ESTATES, ACCORDING TO BOOK 112 OF MAPS, PAGE 24, RECORDS OF MARICOPA COUNTY, ARIZONA, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP-3-NORTH, RANGE-2-EAST, GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA.



NOTES:

- (1) THE BASIS OF BEARING USED FOR THIS SURVEY IS THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 3 NORTH, RANGE 2 EAST, USING A BEARING OF N87°36'19"E PER THE PLAT OF SIERRA PRIETA ESTATES, RECORDED IN BOOK 112 OF MAPS, PAGE 24, M.C.R.
- (2) ⊙—INDICATES CORNER OF THIS SURVEY, SET 1/2" CAPPED REBAR R.L.S. NO. 26409 UNLESS NOTED OTHERWISE.
- (3) SUBJECT PROPERTY IS LOCATED IN ZONE "X" (DOTTED) PER F.E.M.A. FLOOD INSURANCE RATE MAP NO. 04013C1215K, DATED: SEPTEMBER 30, 2005. ZONED "X" (DOTTED) IS DEFINED AS AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD.

AREA:

277,922± SQ.FT. 6.380± ACRES (M)
326,551± SQ.FT. 7.497± ACRES (R) (GROSS)

LEGEND:

- (R) — INDICATES RECORD.
- (M) — INDICATES MEASURED.
- (CM) — INDICATES CALCULATED FROM MEASURED.
- B.O.B. — INDICATES BASIS OF BEARING.
- FD. — INDICATES FOUND.
- C.O.P. — INDICATES CITY OF PHOENIX.
- B.C.F. — INDICATES BRASS CAP FLUSH.
- B.C.H.H. — INDICATES BRASS CAP IN HANDHOLE.
- V.C.&G. — INDICATES VERTICAL CURB & GUTTER.
- T.R. — INDICATES TELEPHONE RISER.
- C.T.V. — INDICATES CABLE TELEVISION.
- E.T. — INDICATES ELECTRIC TRANSFORMER.
- P.U.E. — INDICATES PUBLIC UTILITY EASEMENT.
- C.L.F. — INDICATES CHAIN LINK FENCE.
- R/W — INDICATES RIGHT OF WAY.
- A.P.N. — INDICATES ASSESSORS PARCEL NUMBER.

OWNERS:

A.P.N. 208-14-19B
OWNER: RYNG HENRY D.
ADDRESS: 2110 W. GREENWAY RD.
PHOENIX, ARIZONA, 85023

A.P.N. 208-14-19A
OWNER: DOMINGUEZ ISABELL
ADDRESS: 2046 W. GREENWAY RD.
PHOENIX, ARIZONA, 85023

A.P.N. 208-14-18B
OWNER: FORTUNA JOSEPH M/TERRI L.
ADDRESS: 2036 W. GREENWAY RD.
PHOENIX, ARIZONA, 85023

A.P.N. 208-14-18A
OWNER: MARTIN ROBERT D TR
ADDRESS: 2016 W. GREENWAY RD.
PHOENIX, ARIZONA, 85023

A.P.N. 208-14-15
OWNER: KUNZ YVONNE
ADDRESS: 1948 W. GREENWAY RD.
PHOENIX, ARIZONA, 85023

CERTIFICATION:

THIS IS TO CERTIFY THAT THE SURVEY SHOWN HEREON WAS MADE UNDER MY DIRECTION DURING THE MONTH OF AUGUST, 2010. THAT THE SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

STEVEN C. BURFORD, R.L.S.
ARIZONA NO. 26409



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Riverside	Orange	San Luis Obispo	Bakersfield
JOB NUMBER	4109	PREPARED BY	P.J.H
		DATE PREPARED	8-XX-2010

Exhibit D. Existing and Proposed Zoning Map



Existing Zoning RE-35

Proposed Zoning PUD

Exhibit E. Context Plan

See Following Pages.

Context Photo Exhibit – Location A



Photo 1 – Looking North



Photo 2 – Looking East



Photo 3 – Looking South



Photo 4 – Looking West

Context Photo Exhibit – Location B



Photo 1 – Looking North



Photo 2 – Looking East



Photo 3 – Looking South



Photo 4 – Looking West

Context Photo Exhibit – Locations C and D



Exhibit F. General Plan Map



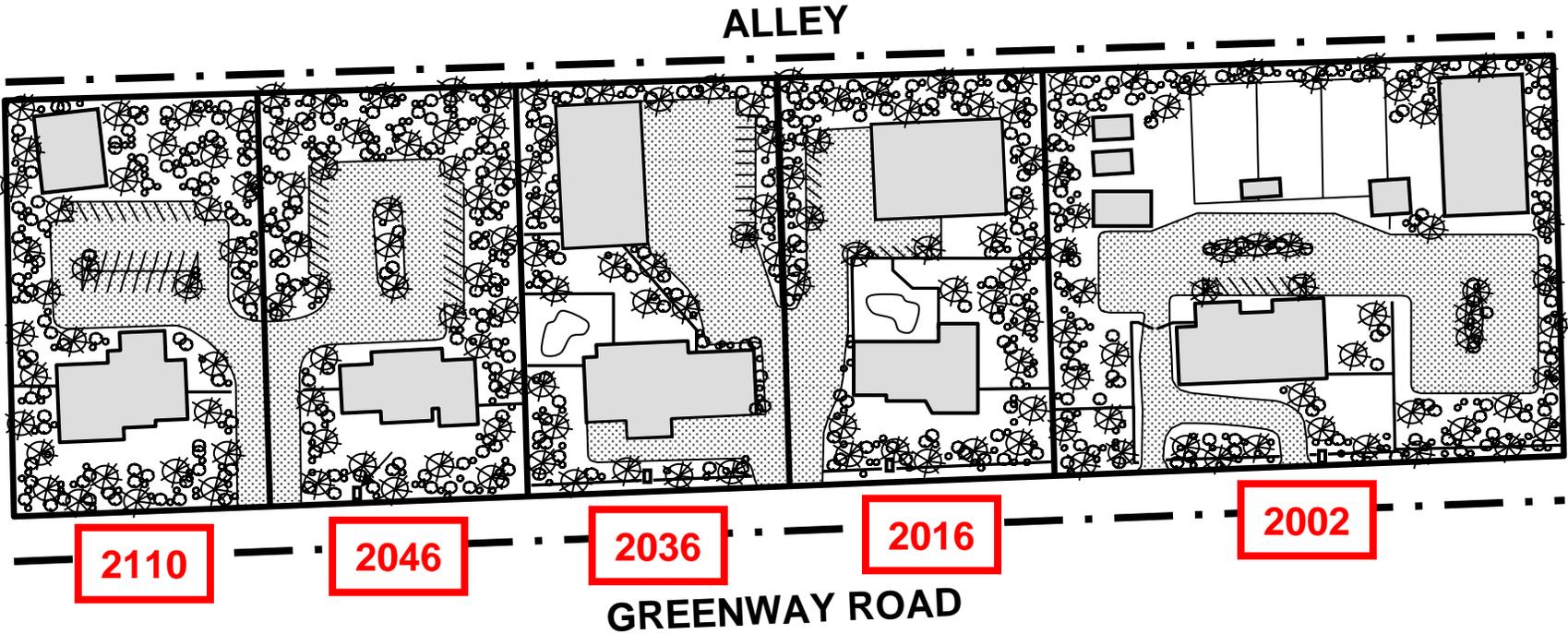
Site of Proposed Rezone

LAND USE

	0 to 1 du/acre - Large Lot	NOTE: Movement within large lot, traditional lot and higher density residential categories does not require a General Plan amendment.		Proposed Park in
	1 to 2 du/acre - Large Lot			Proposed School in
	2 to 3.5 du/acre - Traditional Lot		R	Resort (See NOTE)
	3.5 to 5 du/acre - Traditional Lot		10	Density Cap
	5 to 10 du/acre - Traditional Lot			Density Cap Limit
	10 to 15 du/acre - Higher density attached townhouses, condos, or apartments			
	15+ du/acre - Higher density attached townhouses, condos, or apartments			
	Parks/Open Space - Publicly Owned			
	Parks/Open Space - Privately Owned			
	Future Parks/Open Space or 1 du/acre			
	Mixed Use Agricultural			
	Nurseries/Flower Gardens with alternative 3.5 to 5 du/acre			
	Commercial			
	Mixed Use (MU)			
	Mixed Use (Areas C, D and Northwest Area only)			
	Industrial			
	Commerce / Business Park			Primary Core
	Public/Quasi-Public			Secondary Core
	Floodplain			Canal, Watercourse
	Undesignated Area			Existing Railroad
				Arterial and Collect

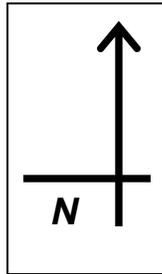
Exhibit G. Conceptual Site and Landscape Plan

See Following Pages.

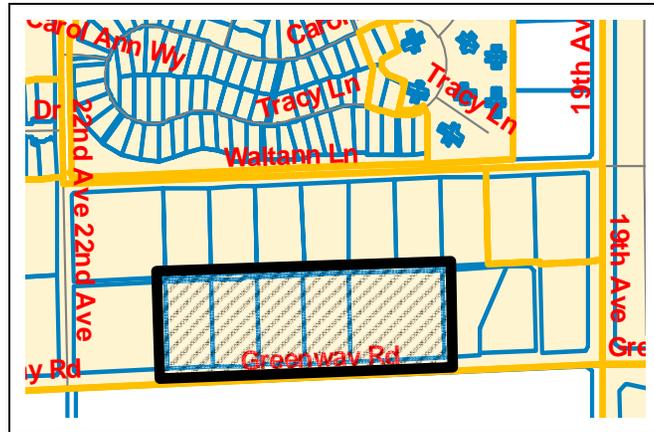


N.T.S.

GREENWAY ROAD



VICINTY MAP



Sierra Prieta Greenway Road PUD

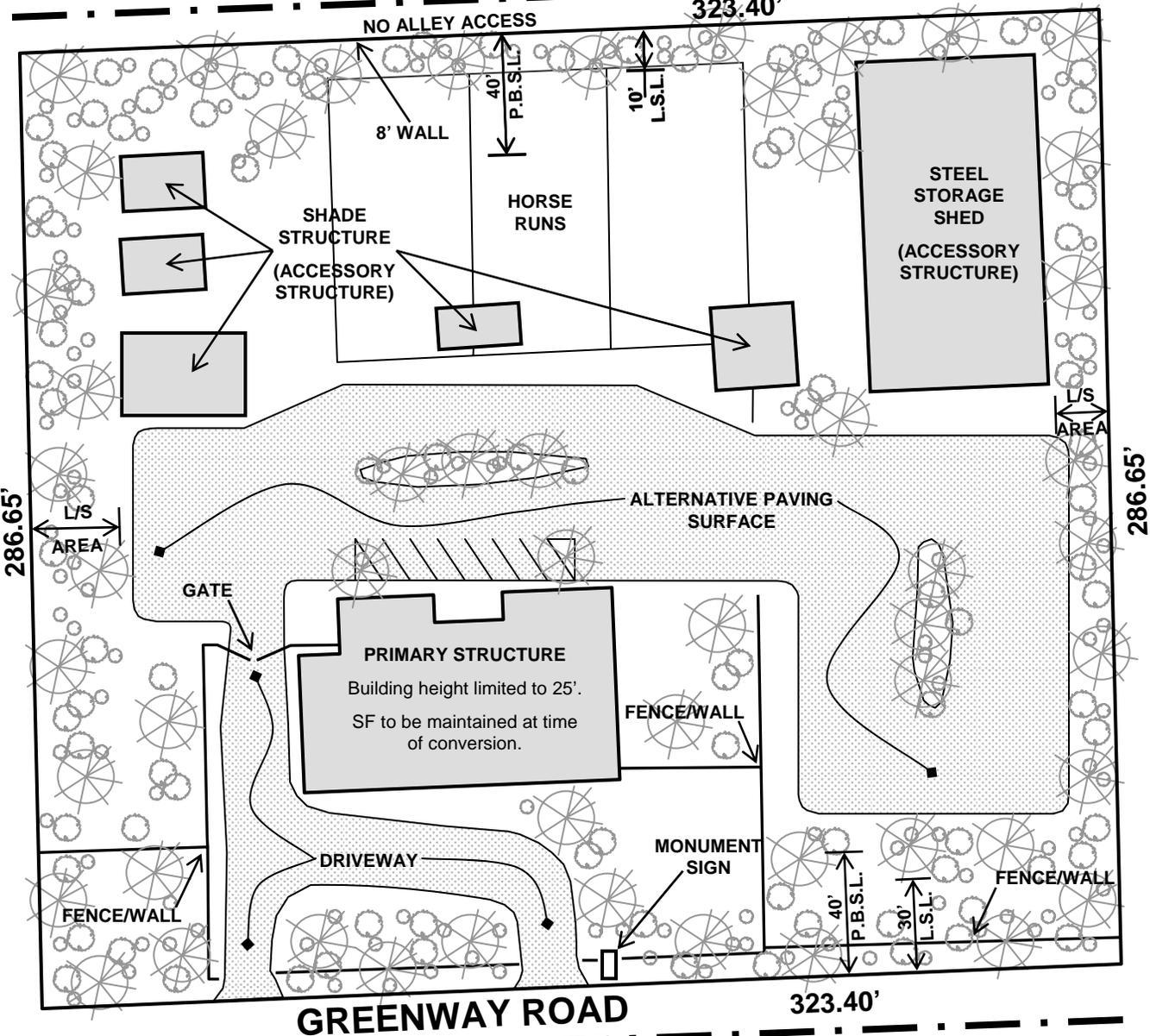
Rezoning Request from RE-35 to Planned Unit Development

CONCEPTUAL SITE
AND LANDSCAPE PLAN

ALLEY

323.40'

NO ALLEY ACCESS

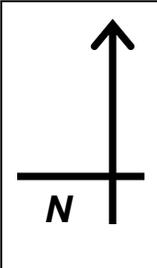


286.65'

286.65'

323.40'

GREENWAY ROAD



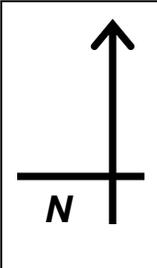
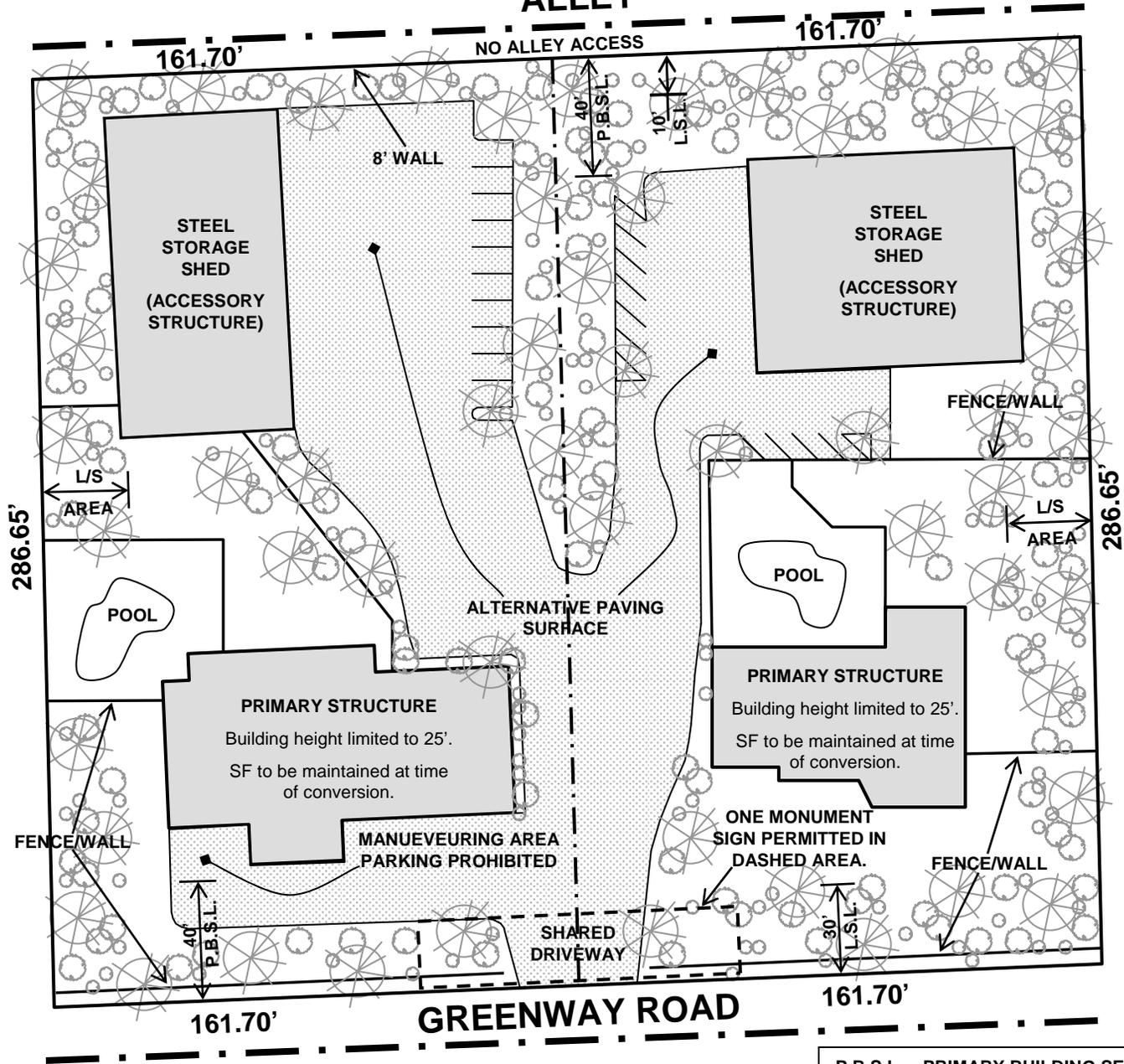
N.T.S.

P.B.S.L. – PRIMARY BUILDING SETBACK LINE
 L.S.L. – LANDSCAPE SETBACK LINE

Sierra Prieta Greenway Road
 2002 West Greenway Road

CONCEPTUAL SITE
 AND LANDSCAPE PLAN

ALLEY



N.T.S.

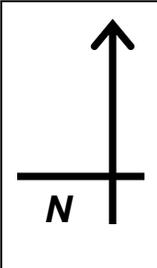
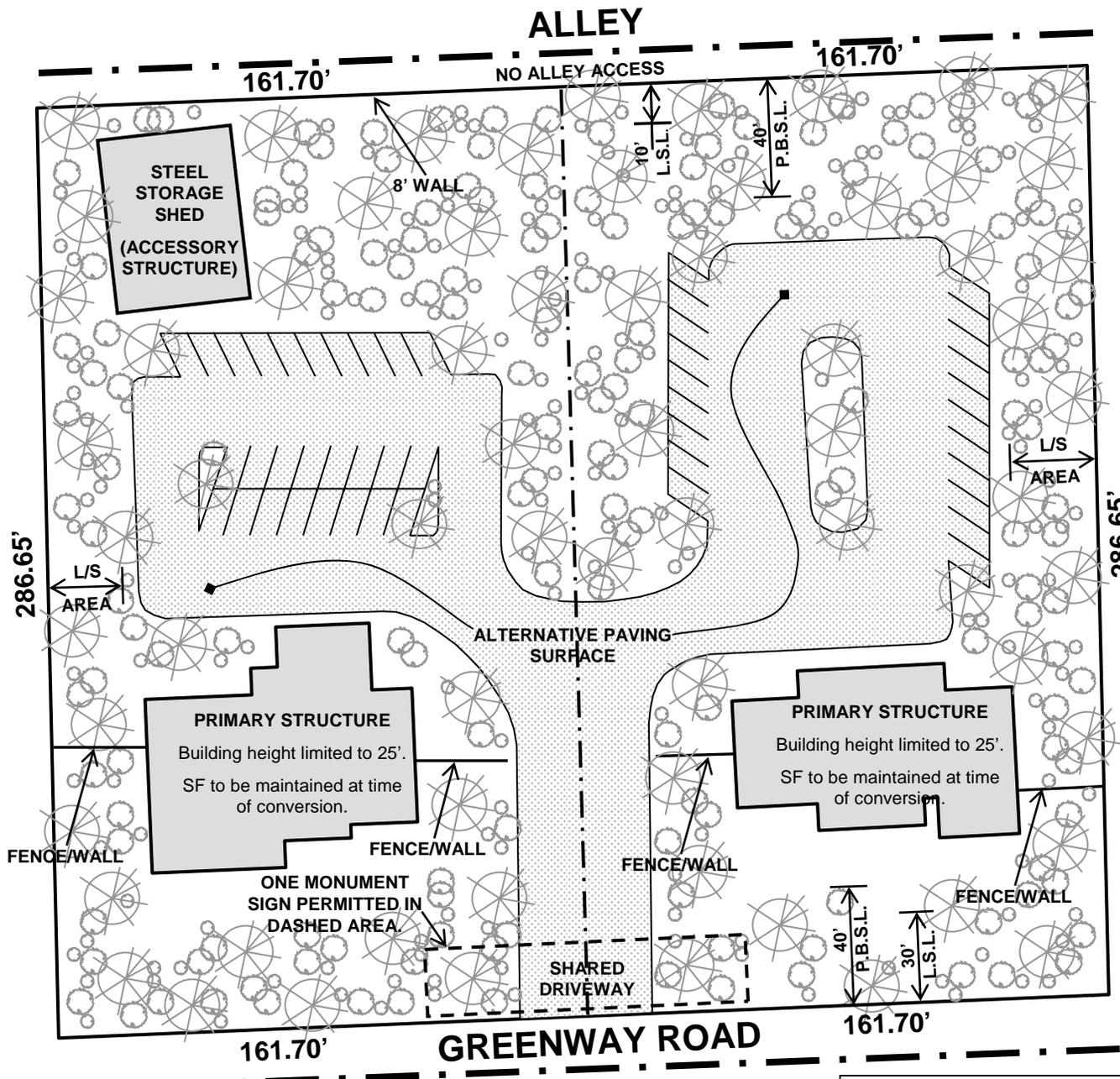
P.B.S.L. – PRIMARY BUILDING SETBACK LINE
L.S.L. – LANDSCAPE SETBACK LINE

Sierra Prieta Greenway Road
2016 and 2036 West Greenway Road

CONCEPTUAL SITE
AND LANDSCAPE PLAN

**Sierra Prieta Greenway Road
2046 and 2110 West Greenway Road**

**CONCEPTUAL SITE
AND LANDSCAPE PLAN**



N.T.S.

P.B.S.L. – PRIMARY BUILDING SETBACK LINE
L.S.L. – LANDSCAPE SETBACK LINE

Exhibit H. Example of Shared Driveway



Exhibit I. Conceptual Architectural Vernacular

See Following Pages.



Architectural Vernacular

The architectural vernacular for each lot shall retain the neighborhood's defining large lot, single-family residential character, while introducing transitional elements to integrate them. Maintaining and improving upon the primary residential home at the time of conversion shall be required. Thus, the architectural vernacular, elements, and scale of the primary building on each lot shall remain consistent with the residential character of the surrounding area (i.e.; Waltann Lane).

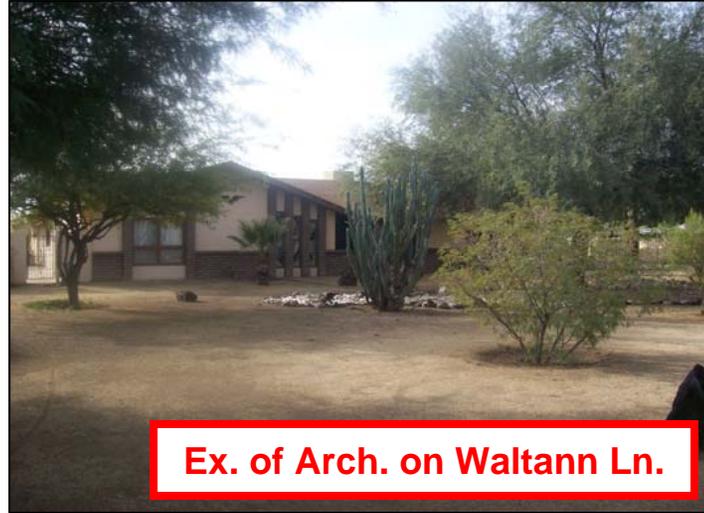
Sierra Prieta Greenway Road PUD

Rezoning Request from RE-35 to Planned Unit Development

**CONCEPTUAL
ARCHITECTURAL
VERNACULAR**



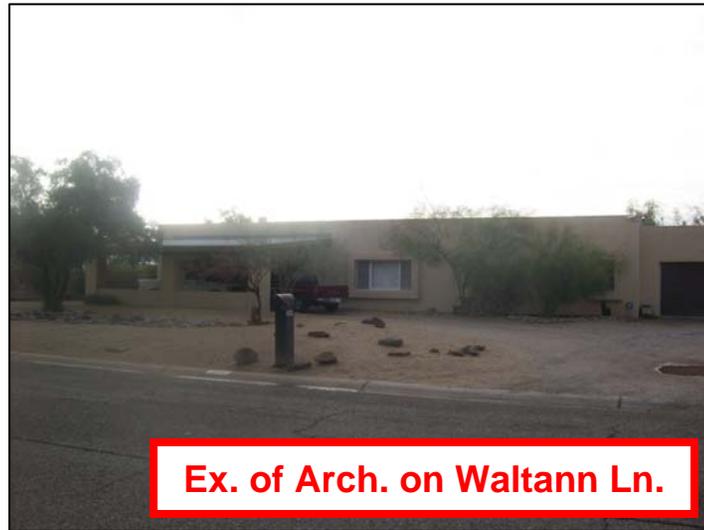
2110



Ex. of Arch. on Waltann Ln.



Ex. of Arch. on Waltann Ln.



Ex. of Arch. on Waltann Ln.

Architectural Vernacular

The architectural vernacular for each lot shall retain the neighborhood’s defining large lot, single-family residential character, while introducing transitional elements to integrate them. Maintaining and improving upon the primary residential home at the time of conversion shall be required. Thus, the architectural vernacular, elements, and scale of the primary building on each lot shall remain consistent with the residential character of the surrounding area (i.e.; Waltann Lane).

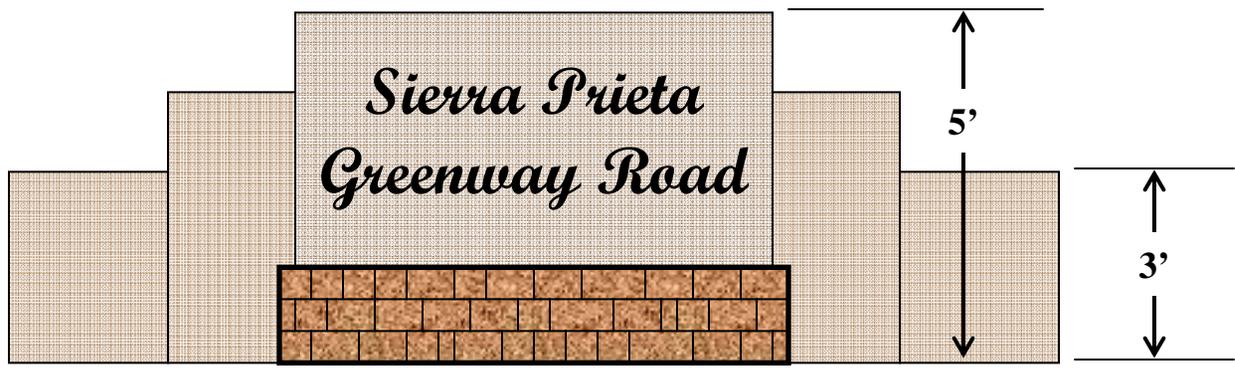
Sierra Prieta Greenway Road PUD

Rezoning Request from RE-35 to Planned Unit Development

**CONCEPTUAL
ARCHITECTURAL
VERNACULAR**

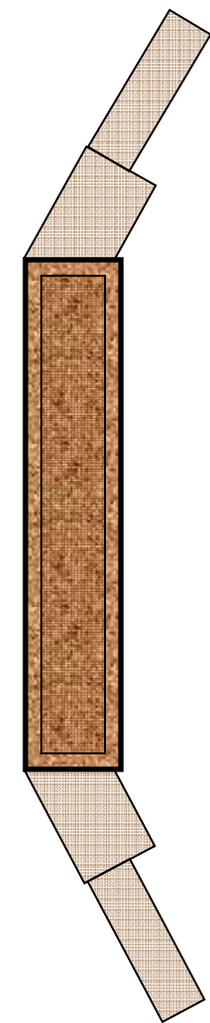
Exhibit J. Conceptual Signage Detail

See Following Pages.



N.T.S.

ELEVATION



PLAN VIEW

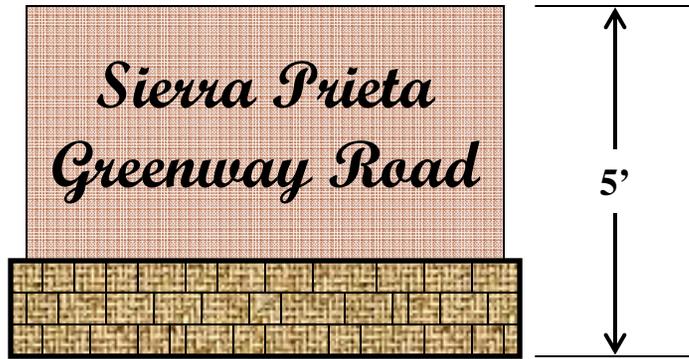
Signage

Signs must complement the building and the surroundings while being readable by both pedestrians and motorists approaching the site. Consideration should be given to form, color, lighting, and materials that are compatible to the building and its surroundings. Wall mounted signs must be appropriately scaled to the individual building on each lot and not obscure or overpower important architectural features of that building. No signage shall be installed on the roofs.

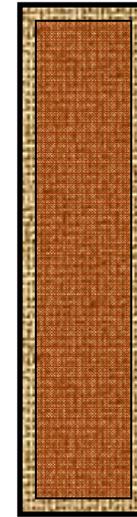
Sierra Prieta Greenway Road PUD

Rezoning Request from RE-35 to Planned Unit Development

**CONCEPTUAL
SIGNAGE DETAIL**



N.T.S. ELEVATION



PLAN VIEW

Signage

Signs must complement the building and the surroundings while being readable by both pedestrians and motorists approaching the site. Consideration should be given to form, color, lighting, and materials that are compatible to the building and its surroundings. Wall mounted signs must be appropriately scaled to the individual building on each lot and not obscure or overpower important architectural features of that building. No signage shall be installed on the roofs.

**CONCEPTUAL
SIGNAGE DETAIL**

Sierra Prieta Greenway Road PUD

Rezone Request from RE-35 to Planned Unit Development

Exhibit K. Permitted Plant Species List

See Following Pages.

Trees

Botanical Name	Common Name
Acacia spp.	Butia capitata
Acacia, Wattle	Jelly Palm
Bauhinia lunarioides (B.congesta)	Caesalpinia spp.
Anacacho Orchid Tree	Bird-of-Paradise
Bauhinia mexicana	Callistemon ssp.
Orchid Tree	Bottlebrush
Brachychiton populneus	Canotia holacantha
Bottle Tree	Crucifixion Thorn
Brahea spp.	Casuarina spp.
Fan Palm	Beefwood
Bursera spp.	Celtis reticulata
Elephant Tree	Western Hackberry
	Ceratonia siliqua
	St. John's Bread Tree, Carob Tree
	Cercis canadensis var. mexicana
	Mexican Redbud
	Cercis canadensis var. texensis
	Texas Redbud
	Chamaerops humilis
	Mediterranean Fan Palm
	Chilopsis linearis
	Desert-willow
	Chitalpa tashkentensis
	Chitalpa

Trees

Botanical Name	Common Name
<i>Chorisia speciosa</i>	Eysenhardtia orthocarpa
Silk Floss Tree	Kidneywood
<i>Cupressus arizonica</i>	<i>Geijera parviflora</i>
Arizona Cypress	Australian-willow
<i>Cupressus sempervirens</i>	<i>Gleditsia triacanthos</i>
Italian Cypress	Honey Locust
<i>Dalbergia sissoo</i>	<i>Holacantha emoryi</i> (<i>Castela emoryi</i>)
Sissoo Tree	Crucifixion Thorn
<i>Ebenopsis</i> spp. (<i>Pithecellobium</i> spp.)	<i>Leucaena retusa</i>
Ebony	Golden Ball Lead Tree
<i>Eucalyptus</i> spp.	<i>Lysiloma</i> spp.
Eucalyptus	Desert-fern
	<i>Olea europaea</i>
	Olive
	<i>Olneya tesota</i>
	Ironwood
	<i>Parkinsonia aculeata</i>
	Mexican Palo Verde, Jerusalem Thorn
	<i>Parkinsonia</i> spp. (<i>Cercidium</i> spp.)
	Palo Verde
	<i>Phoenix canariensis</i>
	Canary Island Date Palm
	<i>Phoenix dactylifera</i>
	Date Palm

Trees

Botanical Name

Common Name

<i>Pinus canariensis</i>	<i>Pittosporum phillyraeoides</i>	<i>Schinus terebinthifolius</i>
Canary Island Pine	Willow Pittosporum	Brazilian Pepper Tree
<i>Pinus eldarica</i>	<i>Prosopis</i> spp.	<i>Sophora secundiflora</i>
Afghan Pine	Mesquite	Texas Mountain Laurel, Mescal Bean
<i>Pinus halepensis</i>	<i>Quercus</i> spp.	<i>Tamarix aphylla</i>
Aleppo Pine	Oak	Athel Tree
<i>Pinus pinna</i>	<i>Rhus lancea</i>	<i>Tipuana tipu</i>
Italian Stone Pine	African Sumac	Tipu Tree
<i>Pinus roxburghii</i>	<i>Rhus lanceolata</i>	<i>Ulmus parvifolia</i> cv. 'Sempervirens'
Chir Pine	Prairie Flameleaf Sumac	Chinese Evergreen Elm
<i>Pistacia</i> spp.	<i>Schinus molle</i>	<i>Ungnadia speciosa</i>
Pistachio	California Pepper Tree	Mexican-buckeye

Trees

Botanical Name

Common Name

Vitex agnus-castus

Chaste Tree

Washingtonia spp.

Desert Fan Palm

Xylosma congestum

Xylosma

Ziziphus jujuba

Chinese Jujube

Shrubs

Botanical Name	Common Name
<i>Abutilon palmeri</i>	<i>Anisacanthus</i> spp.
Superstition Mallo	Desert Honeysuckle
<i>Acacia</i> spp.	<i>Artemisia</i> spp.
Acacia	Sagebrush
<i>Aloysia</i> spp.	<i>Asclepias linaria</i>
Beebrush	Pine-leaf Milkweed
<i>Ambrosia ambrosioides</i>	<i>Asclepias subulata</i>
Canyon Ragweed	Desert Milkweed
<i>Ambrosia deltoidea</i>	<i>Atriplex</i> spp.
Triangleleaf Bur-sage	Saltbush
<i>Ambrosia dumosa</i>	<i>Baccharis</i> spp.
White Bur-sage	Desert Broom, Coyote Brush

Shrubs

Botanical Name

Common Name

<i>Buddleia marubifolia</i>	<i>Callistemon phoeniceus</i>	<i>Cistus</i> spp.
Woolly Butterfly Bush	Salt Resistant Bottlebrush	Rockrose
<i>Caesalpinia</i> spp.	<i>Callistemon viminalis</i>	<i>Condalia globosa</i>
Bird-of-Paradise	Bottlebrush	Bitter Condalia
<i>Calliandra californica</i>	<i>Calothamnus</i> spp.	<i>Convolvulus cneorum</i>
Baja Red Fairy Duster	Net Bush	Bush Morning Glory, Silverbush
<i>Calliandra eriophylla</i>	<i>Celtis pallida</i>	<i>Cordia boissieri</i>
Pink Fairy Duster	Desert Hackberry	Anacahuita
<i>Calliandra peninsularis</i>	<i>Chrysactinia mexicana</i>	<i>Cordia parvifolia</i>
Fairy Duster	Damianita	Little Leaf Cordia
<i>Callistemon citrinus</i>	<i>Chrysothamnus nauseosus</i>	<i>Coursetia glandulosa</i>
Lemon Bottlebrush	Rabbit Brush	Baby Bonnets

Shrubs

Botanical Name	Common Name
<i>Cycas revoluta</i>	Eremophila spp.
Sago Palm	Emu Bush
<i>Dalea</i> spp.	<i>Ericameria laricifolia</i>
Smoketree, Indigo Bush	Turpentine Bush
<i>Dicliptera resupinata</i>	<i>Ericameria linearifolia</i>
Native Dicliptera	Turpentine Bush
<i>Dodonaea viscosa</i>	<i>Eriogonum</i> spp.
Hopbush	Buckwheat
<i>Encelia</i> spp.	<i>Erythrina flabelliformis</i>
Brittlebush	Southwest Coralbean
<i>Ephedra</i> spp.	<i>Euphorbia antisiphilitica</i>
Mormon-tea	Wax Plant, Candellila
	<i>Euphorbia biglandulosa (rigida)</i>
	Euphorbia
	<i>Feijoa sellowiana</i>
	Pineapple Guava
	<i>Foestiera neomexicana</i>
	Desert Olive
	<i>Fraxinus greggii</i>
	Littleleaf Ash
	<i>Genista hispanica</i>
	Spanish Broom
	<i>Gossypium harknessii</i>
	San Marcos Hibiscus

Shrubs

Botanical Name

Common Name

<i>Gutierrezia sarothrae</i>	<i>Jatropha</i> spp.	<i>Leucophyllum</i> spp.
Guayacan	Limberbush	Texas Sage, Texas Ranger
<i>Gutierrezia sarothrae</i>	<i>Juniperus chinensis</i> varieties	<i>Lippia graveolens</i> (berlandieri)
Snakeweed	Juniper	Mexican Oregano
<i>Hamelia patens</i>	<i>Justicia</i> spp.	<i>Lycium</i> spp.
Fire Bush	Mexican Honeysuckle, Chuparosa	Wolfberry
<i>Hymenoclea monogyra</i>	<i>Krameria parvifolia</i>	<i>Maireana sedifolia</i>
Burrbrush	Ratany	Bluebush
<i>Hyptis emoryi</i>	<i>Lantana</i> spp.	<i>Malpighia emarginata</i>
Desert-lavender	Lantana	Barbados Cherry
<i>Jasminum mesnyi</i>	<i>Larrea tridentata</i>	<i>Maytenus phyllanthoides</i>
Primrose Jasmine	Creosote Bush	Mangle Dulce

Shrubs

Botanical Name

Common Name

Melaleuca spp.	Perovskia atriplicifolia cv. 'Heavenly Blue'	Pyracantha spp.
Australian Myrtle	Russian Sage	Pyracantha, Fire-thorn
Mimosa biuncifera	Phlomis fruticosa	Rhus choriophylla
Wait-a-Minute Bush	Jerusalem Sage	Mearns Sumac
Mimosa dysocarpa	Plumbago capensis	Rhus microphylla
Velvet Pod Mimosa	Cape Plumbago	Desert Sumac
Myrtus communis	Plumbago scandens	Rhus ovata
Myrtle	Plumbago	Sugarbush
Nandina domestica	Polygonum maderensis	Rhus trilobata
Heavenly-bamboo	Lavender Spice	Skunkbush
Nerium oleander varieties	Punica granatum varieties	Rhus virens
Oleander	Pomegranate	Evergreen Sumac

Shrubs

Botanical Name

Common Name

Rosmarinus officinalis	Sophora arizonica	Thevetia peruviana
Bush Rosemary	Arizona Sophora	Yellow Oleander
Ruellia spp.	Sophora formosa	Trixis californica
Ruellia	Sophora	Trixis
Salvia spp.	Tecoma spp.	Vauquelinia spp.
Sage	Tecoma	Rosewood
Senna spp. (Cassia spp.)	Tecomaria capensis	Viguiera stenoloba
Cassia	Cape Honeysuckle	Skeleton-leaf Goldeneye
Simmondsia chinensis	Teucrium fruticans	Viguiera parishii (V. deltoidea)
Jojoba	Bush Germander	Golden Eye
Solanum xanthi	Thamnosma montana	Viguiera tomentosa
Solanum	Turpentine Broom	Golden Eye

Shrubs

Botanical Name

Common Name

Wedelia texana (Zexmenia hispida)

Rough Zexmenia

Westringia rosmariniformis

Westringia

Ziziphus obtusifolia

Greythorn

*Exhibit L. Ordinance G-5588 adopted February 2, 2011 and
Ordinance G-5597 adopted March 16, 2011 amending
Ordinance G-5588 to correct Attachment A – Legal
Description*

See Following Pages.

ORDINANCE G-5588

AN ORDINANCE AMENDING THE CODE OF THE CITY OF PHOENIX, ARIZONA, PART II, CHAPTER 41, THE ZONING ORDINANCE OF THE CITY OF PHOENIX, BY AMENDING SECTION 601, THE ZONING MAP OF THE CITY OF PHOENIX, CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-50-09-3) FROM RE-35 (SINGLE-FAMILY RESIDENCE) TO PUD (PLANNED UNIT DEVELOPMENT).

WHEREAS, on July 16, 2009, the City of Phoenix Planning and Development Services Department received, in compliance with the requirements of the City of Phoenix Zoning Ordinance, Section 506, a written request for rezoning from Dennis M. Newcombe of Beus Gilbert PLLC, having authorization to represent the owner, Joseph Fortuna of an approximately 7.64 acre property located approximately 650 feet east of the northeast corner of 22nd Avenue and Greenway Road in a portion of Section 1, Township 3 North, Range 2 East, as described more specifically in Attachment "A", attached hereto and incorporated herein by this reference; and,

WHEREAS, pursuant to A.R.S. § 9-462.04, the Planning Commission, held a public hearing on January 12, 2011, and at this hearing recommended that the City Council approve this rezoning request with the recommended staff conditions, as modified; and,

WHEREAS, the City Council, at their regularly scheduled meeting held on February 2, 2011, has determined that, in accordance with A.R.S. § 9-462.01.F, this rezoning request, with the appropriate site specific requirements provided in Section 2, is consistent with and conforms to the General Plan, will conserve and promote the public health, safety and general welfare, and should be approved, subject to the conditions herein.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as follows:

SECTION 1. The zoning of an approximately 7.64 acre property located approximately 650 feet east of the northeast corner of 22nd Avenue and Greenway Road in a portion of Section 1, Township 3 North, Range 2 East, as described more specifically in Attachment "A", is hereby changed from "RE-35" (Single-Family Residence) to "PUD" (Planned Unit Development) and that the Planning and Development Services Director is instructed to modify The Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Attachment "B".

SECTION 2. The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-50-09-3, on file with the Planning Department. Due to the site's specific physical conditions and the use district applied for by the applicant, this rezoning is subject to compliance with the PUD narrative and the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1. That an updated Development Narrative for the Sierra Prieta Greenway Road PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Services Department within 30 days of City Council approval of this

request. The updated Development Narrative shall be consistent with the Development Narrative date stamped October 8, 2010, as modified by the following stipulations.

2. That the Development Narrative shall be modified as follows:
 - a. Page 14, Section I.A.4 shall read as follows: Lot Coverage: Lot coverage shall not exceed 25 percent (25%) of the net lot area exclusive of the first three (3) feet of roof overhang and carports. Open carports shall not exceed ten percent (10%) of the net lot area.
 - b. Page 16, Section I.A.12.a.(2) shall read as follows: Minimum 2 inch caliper drought resistant tree placed 20 feet on-center or in equivalent groupings, and;
 - c. Page 13, Section G.B.20 shall delete the following: Retail Sales (all permitted uses are allowed to have retail sales).
 - d. Page 16, Section I.A.12.b shall be relocated to be a subset of Section I.A.11
 - e. Page 16, Section I.A.12.b.(1) shall read as follows: Minimum 2-inch caliper drought resistant tree spaced 20 feet on-center or in equivalent groupings.
 - f. Page 13, Section G.B.21 add the underlined words: Tack and feed, with accessory retail sales (auxiliary outdoor storage for tack and feed permitted. Storage shall not exceed 20% lot coverage and 8 feet in height.
 - g. Page 13, Section G.B.22 add the underlined words: Tile Design Firm with accessory retail sales.
 - h. The following exhibits date stamped December 17, 2010 shall be added: Exhibit G (Conceptual Site and Landscape Plan), Exhibit H (example of Shared Driveway), Exhibit I (Conceptual Architectural Vernacular), Exhibit J (Conceptual Signage Detail), and Exhibit K (Plant Species List).
 - i. Page 16, Section I.A.14 shall read as follows: Signs shall be subject to Section 705 except as follows:
 - a). No more than three (3) monument signs shall be allowed as shown in the conceptual sign details –
 - (1) One (1) monument sign shall be allowed on the 2-acre property (2002 West Greenway Road).
 - (2) One (1) monument sign shall be placed adjacent to each of the shared driveways identified on the "Conceptual Site and Landscape Plan" so that each monument sign

is shared by the two (2) parcels that share a driveway.

SECTION 3. 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 hereof.

PASSED by the Council of the City of Phoenix this 2nd day of February, 2011.

Thelma Williams
ACTING MAYOR

ATTEST:

C. Meyer ACTING
City Clerk



APPROVED AS TO FORM:

William Boal Acting City Attorney
MLW

REVIEWED BY:

[Signature] ACTING
City Manager
MLW:amt:897625v1 (CM 23) (Item 2) 2/2/11

Attachments:

- A - Legal Description (1 Page)
- B - Ordinance Location Map (1 Page)

ATTACHMENT A

LEGAL DESCRIPTION FOR Z-50-09-3

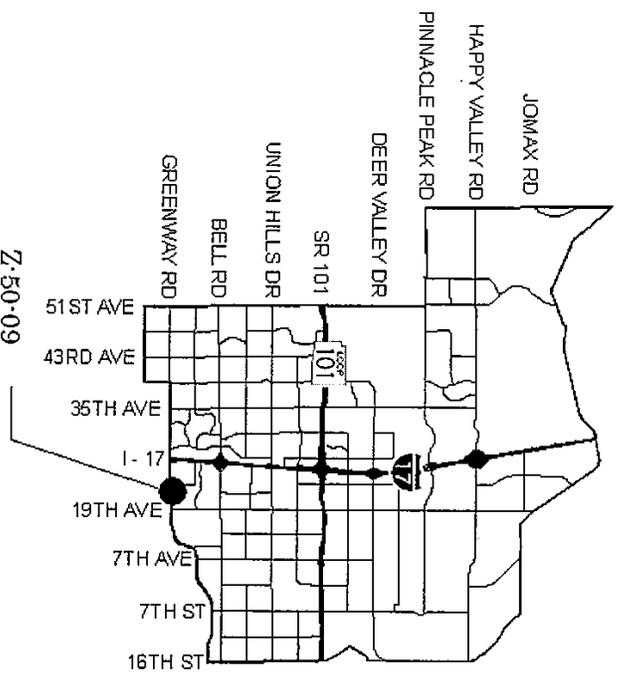
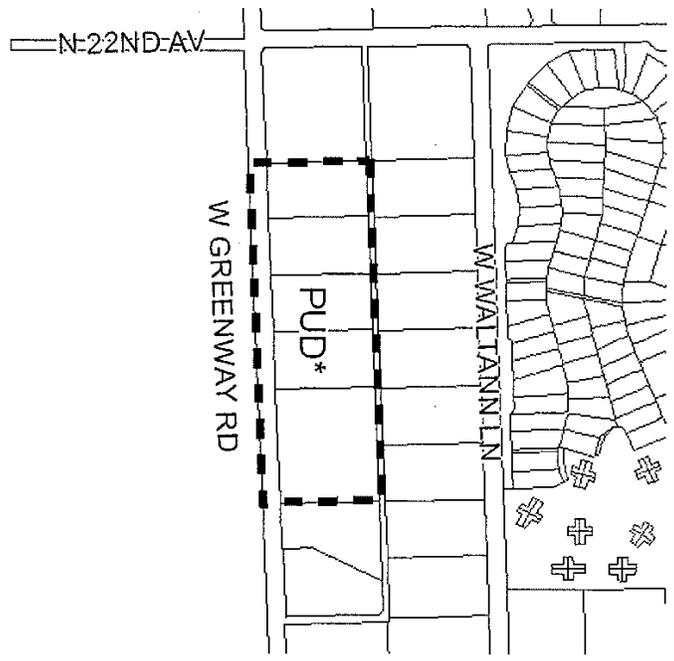
THE WEST HALF OF LOT 8, SIERRA PRIETA ESTATES, ACCORDING TO BOOK
112 OF MAPS, PAGE 24, RECORDS OF MARICOPA COUNTY, ARIZONA.

ORDINANCE LOCATION MAP

ATTACHMENT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: ■■■■■

Zoning Case Number: Z-50-09
Zoning Overlay: N/A
Planning Village: Camelback East



City of Phoenix
Planning Department

Map Document: N:\P\DF_Maps\Ordinance_Map2010

Drawn Date: 12/3/10

NOT TO SCALE

ORDINANCE G-5597

AN ORDINANCE AMENDING ORDINANCE G-5588
ADOPTED FEBRUARY 2, 2011, TO CORRECT
ATTACHMENT A – LEGAL DESCRIPTION ATTACHED TO
THE ORDINANCE FOR REZONING CASE Z-50-09-3.

WHEREAS, the City Council previously adopted Ordinance G-5588 on
February 2, 2011; and

WHEREAS, Attachment A – Legal Description attached to Ordinance G-
5588 was incorrect.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as
follows:

SECTION 1. That Ordinance G-5588 adopted February 2, 2011, is
amended to attach the correct legal description.

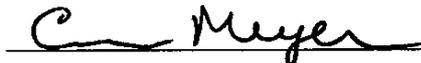
SECTION 2. The remainder of Ordinance G-5588 shall remain the same.

PASSED by the Council of the City of Phoenix this 16th day of March,
2011.



ACTING MAYOR

ATTEST:



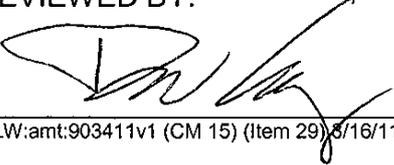
ACTING
City Clerk



APPROVED AS TO FORM:

William Baer Acting City Attorney *MLW*

REVIEWED BY:

 City Manager
MLW:amt:903411v1 (CM 15) (Item 29) 8/16/11

Attachments:

A - Corrected Legal Description (1 Page)

ATTACHMENT A

CORRECTED LEGAL DESCRIPTION FOR Z-50-09-3

Lot 5, Lot 8 and Lot 9 of SIERRA PRIETA ESTATES as recorded in Book 112 of Maps, Page 24 of Maricopa County records, located in the Southeast quarter of Section 1, Township 3 North, Range 2 East, Gila and Salt River Meridian, Maricopa County, Arizona, being more particularly described as follows:

COMMENCING at the Southeast corner of said Section 1, as recorded in said Book 112 of Maps, Page 24;

THENCE South 87 degrees 36 minutes 19 seconds West, along the South line of said Section 1 and along the monument line of Greenway Road, a distance of 556.41 feet to the POINT OF BEGINNING;

THENCE continuing South 87 degrees 36 minutes 19 seconds West, along said section line and said monument line, 970.19 feet;

THENCE North 02 degrees 23 minutes 41 seconds West, 50.00 feet to the Southwest corner of the aforementioned Lot 9;

THENCE North 01 degree 10 minutes 43 seconds West, along the West line of said Lot 9, a distance of 286.65 feet to the Northwest corner of said Lot 9;

THENCE North 87 degrees 36 minutes 19 seconds East, 970.19 feet to the Northeast corner of the aforementioned Lot 5;

THENCE South 01 degree 10 minutes 43 seconds East, along the East line of said Lot 5, a distance of 286.65 feet;

THENCE South 02 degrees 23 minutes 41 seconds East, 50.00 feet to the POINT OF BEGINNING. Subject parcel comprising 7.497 acres (326,551 square feet), more or less, and subject to all easements of record.