

## ATTACHMENT A

**THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL,  
ADOPTED ORDINANCE**

### ORDINANCE G-

AN ORDINANCE AMENDING THE STIPULATIONS APPLICABLE TO  
REZONING APPLICATION Z-70-18-4 PREVIOUSLY APPROVED BY  
ORDINANCE G-6565.

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

SECTION 1. The zoning stipulations applicable located approximately  
170 feet south of the southwest corner of 17th Street and Glenrosa Avenue in a portion  
of Section 22, Township 2 North, Range 3 East, as described more specifically in  
Attachment "A", are hereby modified to read as set forth below.

#### STIPULATIONS:

1. The architecture, design, color, and building materials shall be compatible for all of the buildings within the development, as approved by the Planning and Development Department.
2. Each new unit shall provide a covered entryway, as approved by the Planning and Development Department.
3. Pedestrian connections shall be provided to the street and from the existing building to the new buildings. All pedestrian walkways shall consist of a contrasting material such as decorative pavers, stamped or colored concrete, or another contrasting material, other than those used to pave the parking surfaces and drive aisles, as approved by the Planning and Development Department.
4. There shall be a minimum 5-foot-wide detached sidewalk along 17th Street with a minimum 5-foot-wide landscaped strip located between the sidewalk and back of curb PLANTED WITH GROUND COVER OR SHRUBS AT A

~~MINIMUM and shall include a minimum 2-inch caliper shade trees planted a minimum of 20 feet on center or equivalent groupings along both sides of the sidewalk, as approved OR MODIFIED by the Planning and Development Department.~~

- ~~5.~~ Minimum 3-inch caliper trees, planted 20 feet on center, or in equivalent groupings, shall be planted along the side yards adjacent to residential zoning to provide screening for adjacent residences, as approved by the Planning and Development Department.
5. The developer shall install secured bicycle parking at 0.25 spaces for each residential unit and a minimum of four inverted U-bicycle racks for guests located near entrances to the building, installed per the requirements of Section 1307.H. of the Zoning Ordinance, as approved by the Planning and Development Department.
- ~~6.~~
6. The surface parking lot area shall be landscaped with a minimum 2-inch caliper shade trees. Landscaping must be dispersed throughout the parking area, as approved by Planning and Development Department.
- ~~7.~~
7. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
- ~~8.~~
8. The property owner shall record documents that disclose the existence and operational characteristics of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided.
- ~~9.~~
9. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
- ~~10.~~
10. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
- ~~11.~~
11. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
- ~~12.~~
12. The development shall be limited to two stories and 30 feet.
- ~~13.~~

13. Prior to preliminary site plan approval, the landowner shall execute a
14. Proposition 207 Waiver of Claims form. The Waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

SECTION 2. Due to the site's specific physical conditions and the use district granted pursuant to Ordinance G-6565, this portion of the rezoning is now subject to the stipulations approved pursuant to Ordinance G-6565 and as modified in Section 1 of this Ordinance. Any violation of the stipulation is a violation of the City of Phoenix Zoning Ordinance. Building permits shall not be issued for the subject site until all the stipulations have been met.

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 18th day of November, 2020.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

REVIEWED BY:

\_\_\_\_\_ City Manager

Exhibits:

A - Legal Description (1 Page)

B - Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR PHO-1-20-- Z-70-18-4

THAT PART OF THE A PORTION OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 2 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST QUARTER CORNER OF SAID SECTION 22; THENCE NORTH 89 DEGREES 35 MINUTES 31 SECONDS EAST, ALONG THE SOUTH LINE OF SAID SECTION 22, A DISTANCE OF 659.80 FEET AND THE MONUMENT LINE OF INDIAN SCHOOL ROAD;

THENCE LEAVING SAID MONUMENT LINE NORTH 00 DEGREES 15 MINUTES 34 SECONDS EAST A DISTANCE OF 1148.30 FEET ALONG THE MONUMENT OF 17TH STREET;

THENCE LEAVING SAID MONUMENT SOUTH 89 DEGREES 29 MINUTES 47 SECOND WEST A DISTANCE OF 25.00 FEET TO A POINT ON THE WEST RIGHT OF WAY OF SAID 17TH STREET SAID POINT ALSO BEING THE TRUE OF BEGINNING;

THENCE SOUTH 00 DEGREES 15 MINUTES 34 SECONDS WEST A DISTANCE OF 85.79 FEET;

THENCE SOUTH 89 DEGREES 29 MINUTES 56 SECONDS WEST A DISTANCE OF 298.10 FEET;

THENCE NORTH 00 DEGREES 16 MINUTES 32 SECONDS EAST A DISTANCE OF 163.78 FEET;

THENCE SOUTH 89 DEGREES 29 MINUTES 47 SECONDS EAST A DISTANCE OF 168.00 FEET;

THENCE SOUTH 00 DEGREES 16 MINUTES 32 SECONDS WEST A DISTANCE OF 78.00 FEET;

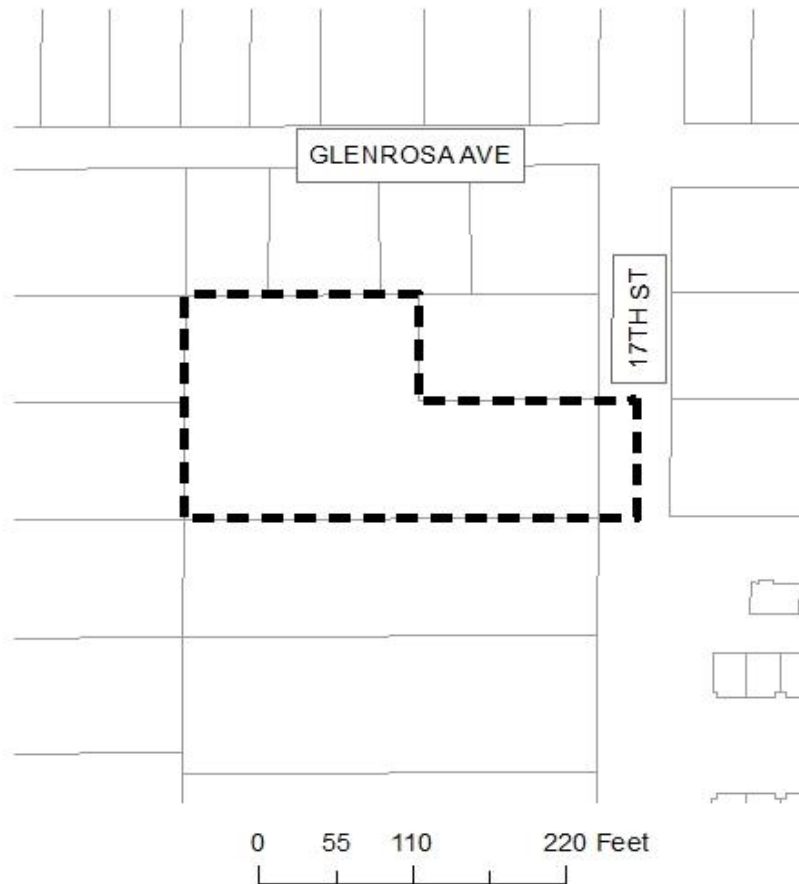
THENCE NORTH 89 DEGREES 29 MINUTES 47 SECONDS EAST A DISTANCE OF 130.08 FEET TO A POINT ON THE WEST RIGHT OF WAY OF 17TH STREET SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING.

# ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: \*

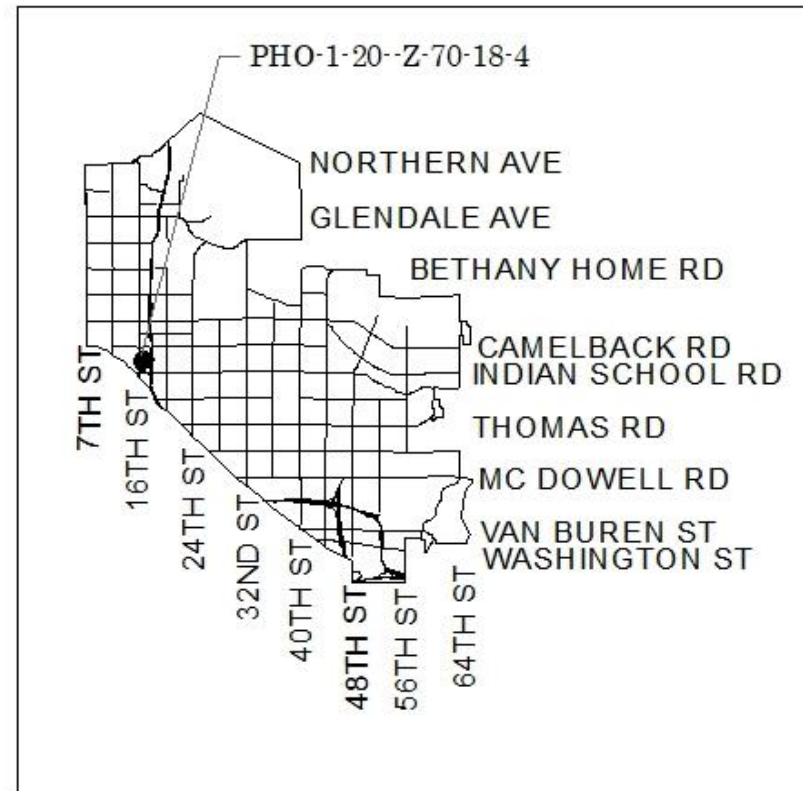
SUBJECT AREA: - - - - -



Zoning Case Number: PHO-1-20-Z-70-18-4

Zoning Overlay: N/A

Planning Village: Camelback East



NOT TO SCALE



Drawn Date: 10/22/2020