

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 ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-25-22-8) FROM S-1 (RANCH OR FARM RESIDENCE TO PUD (PLANNED UNIT DEVELOPMENT).

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

SECTION 1. The zoning of a 4.99-acre property located at the southwest corner of 43rd Avenue and Baseline Road in a portion of Section 3, Township 1 South, Range 2 East, as described more specifically in Exhibit "A," is hereby changed from "S-1" (Ranch or Farm Residence), to "PUD" (Planned Unit Development).

SECTION 2. The Planning and Development Director is instructed to modify the Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Exhibit "B."

SECTION 3. Due to the site's specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations,

violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1.	An updated Development Narrative for the Laveen Veterinary Hospital and Clinic PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped June 16, 2022, as modified by the following stipulations:	
	a.	Page 7, List of Uses, Accessory: Remove “except the following: drive-through facilities as an accessory use to a restaurant”.
	b.	Page 8, Development Standards Table: Remove building setback standards for structures exceeding two stories or 30 feet.
	c.	Pages 8-9, Development Standards Table: Add a section regarding shade to the table and include the following standards:
	i.	Minimum 75% for pedestrian pathways.
	ii.	Minimum 20% for uncovered surface parking lot areas.
	d.	Page 13: Add a Complete Streets section to address what standards in the PUD promote the Complete Street Guidelines. Explain how the PUD standards specifically improve convenience and comfort, connectivity, sustainability, and green infrastructure.
2.	The developer shall dedicate a 30-foot-wide multi-use trail easement (MUTE) along the south side of Baseline Road and construct a minimum 10-foot-wide multi-use trail (MUT) within the easement in accordance with the MAG supplemental detail and as approved by the Planning and Development Department and/or Parks and Recreation Department. Where conflicts or restrictions exist, the developer shall work with the Site Planning section on an alternate design through the technical appeal process.	
3.	The developer shall construct a minimum 5-foot-wide detached sidewalk along the west side of 43rd Avenue and south side of Baseline Road with a minimum 11-foot-wide landscaped strip located between the sidewalk and back of curb and planted to the following standards, as approved by the Planning and Development Department:	
	a.	Minimum 3-inch caliper shade trees placed a minimum of 20 feet on center or in equivalent groupings.

	b.	Drought tolerant shrubs and vegetative groundcovers with a maximum mature height of 24 inches to provide a minimum of 75% live coverage at maturity.
	c.	Where utility conflicts arise, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.
4.		The applicant shall submit a Traffic Impact Study/Statement to the City for this development. The developer shall be responsible for the cost and construction of all mitigation identified through the analysis. No preliminary approval of plans shall be granted until the study is reviewed and approved by the Street Transportation Department.
5.		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.
6.		The right-of-way shall be dedicated and a bus bay with attached pad (City of Phoenix Standard Details P1256, P1258, and P1261) constructed along southbound 43rd Avenue, as approved by the Planning and Development Department.
7.		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.
8.		Prior to preliminary site plan approval, the landowner shall execute a 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 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 hereof.

PASSED by the Council of the City of Phoenix this 7th day of September, 2022.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Cris Meyer, City Attorney

By:

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:
A – Legal Description (1 Page)
B – Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR Z-25-22-8

That portion of the Northwest quarter of Section 3, Township 1 South, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

Commencing at the South quarter corner of Section 33, Township 1 North, Range 2 East;

Thence North $89^{\circ} 47' 51''$ East along the South line of said Section 33 a distance of 2324.28 feet to the Northwest corner of Section 3, Township 1 South, Range 2 East and the POINT OF BEGINNING from whence a found brass cap in handhole bears North $00^{\circ} 02' 04''$ West a distance of 0.65 feet;

Thence continuing North $89^{\circ} 47' 51''$ East along said South line a distance of 284.07 feet to the Southeast corner of Section 33, Township 1 North, Range 2 East;

Thence South $00^{\circ} 29' 37''$ West along the monument line of 43rd Avenue a distance of 326.82 feet to the beginning of a tangent curve, whose radius bears North $89^{\circ} 30' 22''$ West a distance of 721.78 feet;

Thence southerly along said curve through a central angle of $26^{\circ} 01' 50''$ a distance of 327.92 feet to a non-tangent line;

Thence South $26^{\circ} 32' 13''$ West a distance of 287.70 feet to the beginning of a tangent curve, whose radius bears South $63^{\circ} 27' 47''$ East a distance of 721.78 feet;

Thence southerly along said curve through a central angle of $26^{\circ} 34' 18''$ a distance of 334.74 feet to a to a point of tangency on the West line of Section 3;

Thence North $00^{\circ} 02' 04''$ West along said West line a distance of 1222.14 feet to the POINT OF BEGINNING.

Containing 217,246 sq. ft. or 4.987 acres

ORDINANCE LOCATION MAP

EXHIBIT B

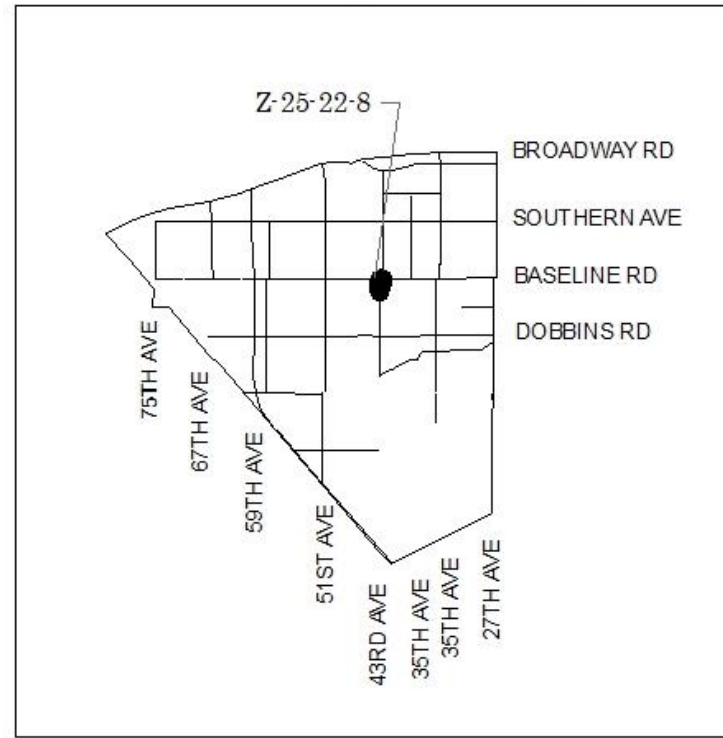
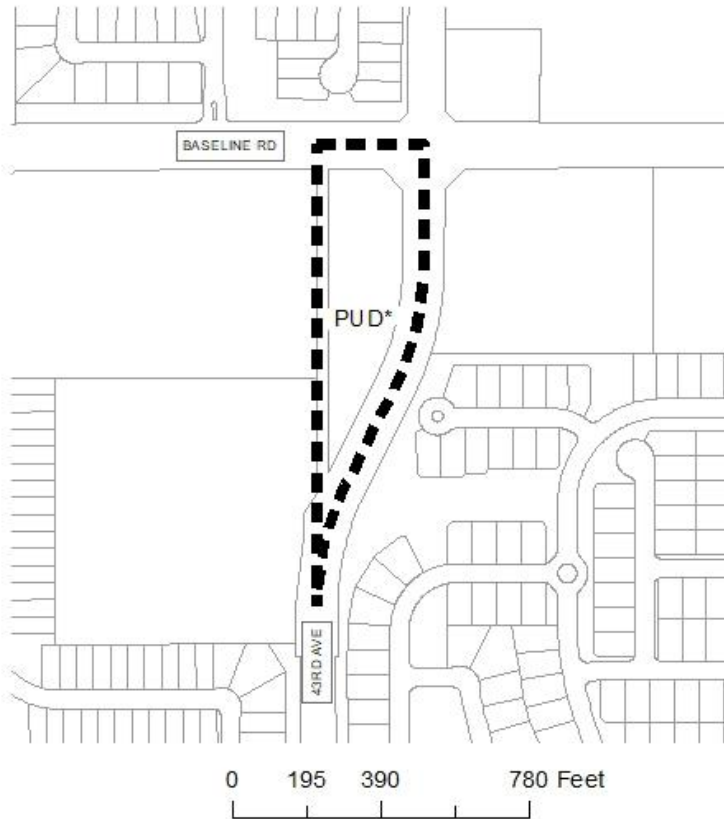
ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: - - - - -

Zoning Case Number: Z-25-22-8

Zoning Overlay: N/A

Planning Village: Laveen



NOT TO SCALE



Drawn Date: 8/11/2022