

**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 ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-60-20-8) FROM R1-8 (SINGLE-FAMILY RESIDENCE DISTRICT) TO PUD (PLANNED UNIT DEVELOPMENT).

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

SECTION 1. The zoning of a 19.35-acre site located at the northwest corner of 35th Avenue and Carver Road in a portion of Section 10, Township 1 South, Range 2 East, as described more specifically in Exhibit "A", is hereby changed from "R1-8" (Single-Family Residence District) 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 Carver Canyon 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 April 5, 2021, as modified by the following stipulations:
  - a. Front cover: Revise the submittal date information on the bottom to add the following: Hearing draft submittal: April 5, 2021; City Council adopted: [Add adoption date].
  - b. Page 8, Delete “Churches/Places of Worship (pursuant to the restrictions of Section 608.E.1 of the Phoenix Zoning Ordinance; including, Pocket Shelters shall not be permitted)” from the Prohibited Uses list.
  - c. Page 11, Hillside Treatment: Include the following statement at the bottom of this section: “This PUD is subject to all City of Phoenix Hillside Development Standards, including but not limited to density restrictions, which may require deviations from the included exhibits that have not been reviewed for hillside compliance. All hillside standards and requirements shall override all zoning standards, including conflicts with any of the PUD standards included within.”
  - d. Page 8, Development Standards table: Modify Maximum Number of Lots to 56 Lots Total.
  - e. Page 8: Development Standards Table: Modify Individual Lot Dimensions to reflect a minimum lot size of 8,700 square feet.
  - f. Page 9, Development Standards Table: Modify Minimum Individual Lot Setbacks for Side Yard as follows: “6-Foot Minimum, 13 Feet Combined Minimum”.
  - g. Page 12, Landscape Standards Table, Arterial Road Plantings: Modify Item No. 3 to require that all trees shall be minimum 2-inch caliper, and a minimum of 40 percent of all trees shall be minimum 3-inch caliper.
  - h. Page 14, Exterior Walls: Modify first bullet so that each home shall include two alternative building materials in addition to the primary building material on all architectural elevations, plus garage enhancements such as window panels, color, added materials surrounding door, and trellises; and that the primary building material shall not exceed 75 percent of all front and exposed side elevations and street facing elevations.

2. Carver Road and 35th Avenue are under MCDOT jurisdiction, the applicant shall submit verification of MCDOT approval for improvements prior to preliminary site plan approval.
3. The developer shall dedicate minimum 55 feet of right-of-way for the west half of 35th Avenue, as approved by the Planning and Development Department.
4. The developer shall dedicate minimum 40 feet of right-of-way for the north half of Carver Road, as approved by the Planning and Development Department.
5. The developer shall dedicate additional right-of-way and provide improvements to the 35th Avenue and Carver Road intersection as per geometric design approved by the Maricopa Department of Transportation. Provide approved design and verification of approval to the City of Phoenix, Street Transportation Department prior to preliminary submittal. The design will need to provide access to 35th Avenue south of Carver Road.
6. The applicant shall submit a Traffic Impact Study to the City for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City. Contact the Street Transportation Department to set up a meeting to discuss the requirements of the study. Upon completion of the TIS the developer shall submit the completed TIS to the Planning and Development Department counter with instruction to forward the study to the Street Transportation Department, Development Coordination Section.
7. The applicant shall complete and submit the Developer Project Information Form for the Maricopa Association of Governments Transportation Improvement Program. This form is a requirement of the Environmental Protection Agency to meet clean air quality requirements.
8. 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.
9. Clearly defined, accessible pedestrian pathways shall be provided to connect building public sidewalks and community amenities using the most direct route for pedestrians, as approved by the Planning and Development Department.
10. Where pedestrian pathways cross drive aisles, they shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrast with the adjacent parking and drive aisle surfaces, as approved by the Planning and Development Department.

11. 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.
12. 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.
13. 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.
14. Prior to final site plan approval, the property owner shall record documents that disclose to tenants of the site or purchasers of property within the site, the existence, proximity, and operational characteristics of active aviation uses in the Hangar Haciendas Units One, Two, and Three subdivisions located approximately 2,300 feet to the east of the subject property in Maricopa County. The form and content of such documents shall be according to the templates and instructions provided, which have been reviewed and approved by the City Attorney.
15. Prior to final site plan approval, the property owner shall record documents that disclose to tenants of the site or purchasers of property within the site, the existence, proximity, and operational characteristics of active agricultural uses and non-domesticated animal keeping. The form and content of such documents shall be according to the templates and instructions provided, which have been reviewed and approved by the City Attorney.
16. The developer shall complete an enhanced drainage survey and hillside review that goes above and beyond the city requirements, as approved by the Planning and Development Department.

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 2nd day of June, 2021.

\_\_\_\_\_  
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 Z-60-20-8

A portion of the South half of GLO Lot 1 of Section 10, Township 1 South, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows;

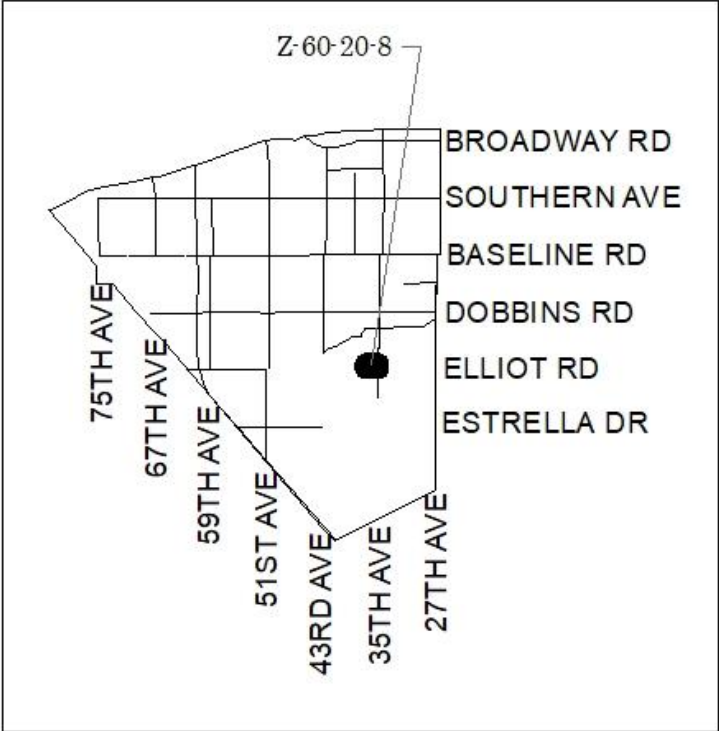
**COMMENCING** at the East quarter corner of said Section 10 (3" brass cap in handhole) from which the Southeast corner of said Section 10 (3" aluminum cap stamped RLS 19344) bears South 00 degrees 00 minutes 04 seconds West a distance of 2639.90 feet; Thence South 00 degrees 00 minutes 04 seconds West along the East line of the Southeast quarter of said Section 10 a distance of 2075.32 feet to the **TRUE POINT OF BEGINNING**; Thence continuing South 00 degrees 00 minutes 04 seconds West along the East line of said South half of GLO Lot 1 a distance of 435.67 feet to the Northeast corner of that certain parcel described in Instrument 2007-0575240, records of said county; Thence South 51 Degrees 37 Minutes 57 Seconds West along the Northwest line of said certain parcel a distance of 208.56 feet to the Southwest corner of said certain parcel; Thence South 89 Degrees 48 Minutes 33 Seconds West along the South line of said GLO Lot 1 a distance of 1132.63 feet; Thence North 00 Degrees 00 Minutes 43 Seconds West along the East line of the West 40 acres of GLO Lot 1 and Lot 2 of said Section 10 a distance of 659.62 feet; Thence North 89 Degrees 47 Minutes 40 Seconds East along the North line of said South half of GLO Lot 1 a distance of 1246.30 feet to a point on the West line of the East 50.00 feet of said South half of GLO Lot 1; Thence South 00 Degrees 00 Minutes 04 Seconds West along last said West line a distance of 95.19 feet; Thence South 89 Degrees 59 Minutes 56 Seconds East perpendicular with said East line of GLO Lot 1 a distance of 50.00 feet to the **POINT OF BEGINNING**.

# ORDINANCE LOCATION MAP

EXHIBIT B

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

Zoning Case Number: Z-60-20-8  
Zoning Overlay: N/A  
Planning Village: Laveen



NOT TO SCALE



Drawn Date: 4/30/2021