

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-10-18-8) FROM R1-14 BAOD (ONE FAMILY RESIDENCE DISTRICT, BASELINE AREA OVERLAY DISTRICT); R1-14 BAOD (ONE FAMILY RESIDENCE DISTRICT, BASELINE AREA OVERLAY DISTRICT), APPROVED C-1 BAOD (APPROVED NEIGHBORHOOD RETAIL DISTRICT, BASELINE AREA OVERLAY DISTRICT); AND R1-14 BAOD (ONE FAMILY RESIDENCE DISTRICT, BASELINE AREA OVERLAY DISTRICT), APPROVED R1-10 BAOD (APPROVED SINGLE-FAMILY RESIDENCE DISTRICT, BASELINE AREA OVERLAY DISTRICT) TO C-1 BAOD (NEIGHBORHOOD RETAIL DISTRICT, BASELINE AREA OVERLAY DISTRICT).

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

SECTION 1. The zoning of an approximately 10.55-acre property located at the northwest corner of 27th Street and Baseline Road in a portion of Section 35, Township 1 North, Range 3 East, as described more specifically in Exhibit "A", is hereby changed from 5.51 acres of "R1-14 BAOD" (One Family Residence District, Baseline Area Overlay District); 2.16 acres of "R1-14 BAOD, Approved C-1 BAOD" (One Family Residence District, Baseline Area Overlay District, Approved Neighborhood Retail

District, Baseline Area Overlay District); and 2.88 acres of “R1-14 BAOD, Approved R1-10 BAOD” (One Family Residence District, Baseline Area Overlay District, Approved Single-Family Residence District, Baseline Area Overlay District) to 10.55 acres of “C-1 BAOD” (Neighborhood Retail District, Baseline Area Overlay District).

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. The development shall be in general conformance with the elevations date stamped February 12, 2018, as modified by the following stipulations and approved by the Planning and Development Department:
 - a. Pitched roof elements shall be incorporated in all buildings.
 - b. All building elevations, including those facing or visible from the Western Canal, shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, variation in window size and location, and/or other overhang canopies.
2. The developer shall provide the following amenities and open public access to the amenities, as approved by the Planning and Development Department:
 - a. A multi-use trail or shared-use path which provides connectivity between Baseline Road and the Western Canal, in accordance with the MAG supplemental details.
 - b. Equestrian corral area containing hitching posts for horses, along the northern property align adjacent to the Western Canal.
 - c. Minimum of two shaded benches, along the northern property align adjacent to the Western Canal.

- d. Bicycle parking area containing a minimum of eight spaces. The bicycle parking area shall utilize inverted-U bicycle racks or a similar design that accommodates lock placement on both wheels and the frame.
3. Any solid portion of a perimeter wall adjacent to the Western Canal shall not exceed a maximum height of three feet, as approved by the Planning and Development Department.
4. No drive-through facility shall locate its drive-through window facing a residential use or Baseline Road, as approved by the Planning and Development Department.
5. Drive-throughs shall be screened from view of public rights-of-way and residential uses with a landscaped berm or a combination of a wall and landscaped berm at least four feet in height, as approved by the Planning and Development Department.
6. The developer shall dedicate a 30-foot wide multi-use trail easement (MUTE) along the north 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 Parks and Recreation and Planning and Development Departments.
7. The location of the bus stop along Baseline Road shall be approved by the Public Transit Department.
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. 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.

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 27th day of June,

2018.

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)

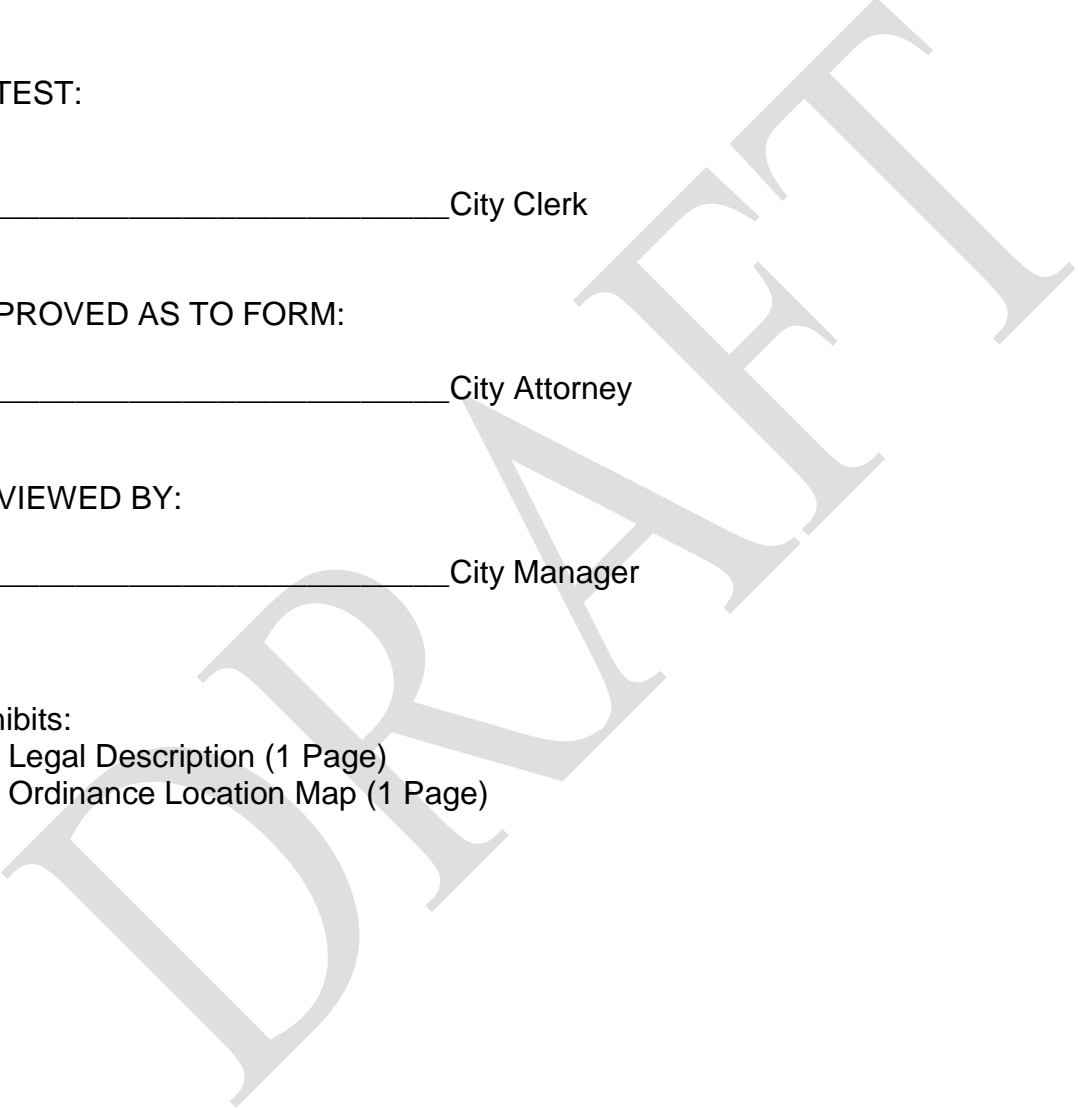


EXHIBIT A

LEGAL DESCRIPTION FOR Z-10-18-8

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 1 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 3 INCH CITY OF PHOENIX BRASS CAP FLUSH MARKING THE SOUTH QUARTER CORNER OF SAID SECTION 35, FROM WHICH A 3 INCH BRASS CAP IN HANDHOLE MARKING THE SOUTHWEST CORNER OF SAID SECTION 35 BEARS SOUTH 88 DEGREES 30 MINUTES 30 SECONDS WEST 2,657.39 FEET;

THENCE SOUTH 88 DEGREES 30 MINUTES 30 SECONDS WEST 1,071.48 FEET ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER TO THE CENTERLINE OF 27TH STREET AND THE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 88 DEGREES 30 MINUTES 30 SECONDS WEST 570.38 FEET ALONG SAID SOUTH LINE TO THE CENTERLINE OF 25TH STREET;

THENCE NORTH 00 DEGREES 04 MINUTES 00 SECONDS WEST 775.75 FEET ALONG SAID CENTERLINE TO THE SOUTH LINE OF THE WESTERN CANAL;

THENCE SOUTH 89 DEGREES 07 MINUTES 00 SECONDS EAST 570.29 FEET ALONG SAID SOUTH LINE TO THE NORTHERLY EXTENSION OF SAID CENTERLINE OF 27TH STREET;

THENCE SOUTH 00 DEGREES 04 MINUTES 00 SECONDS EAST 752.11 FEET ALONG SAID CENTERLINE TO THE POINT OF BEGINNING.

ORDINANCE LOCATION MAP

EXHIBIT B

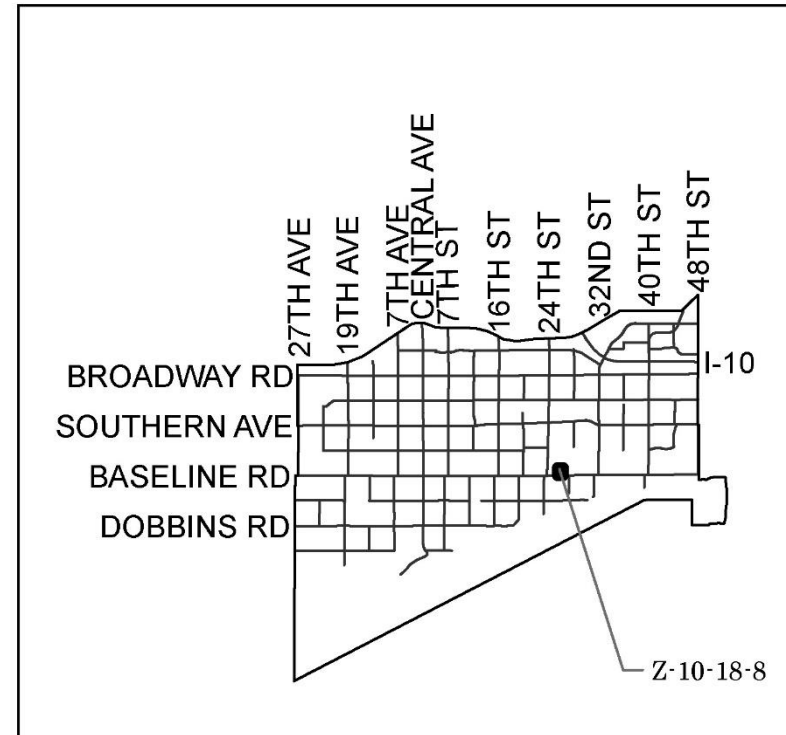
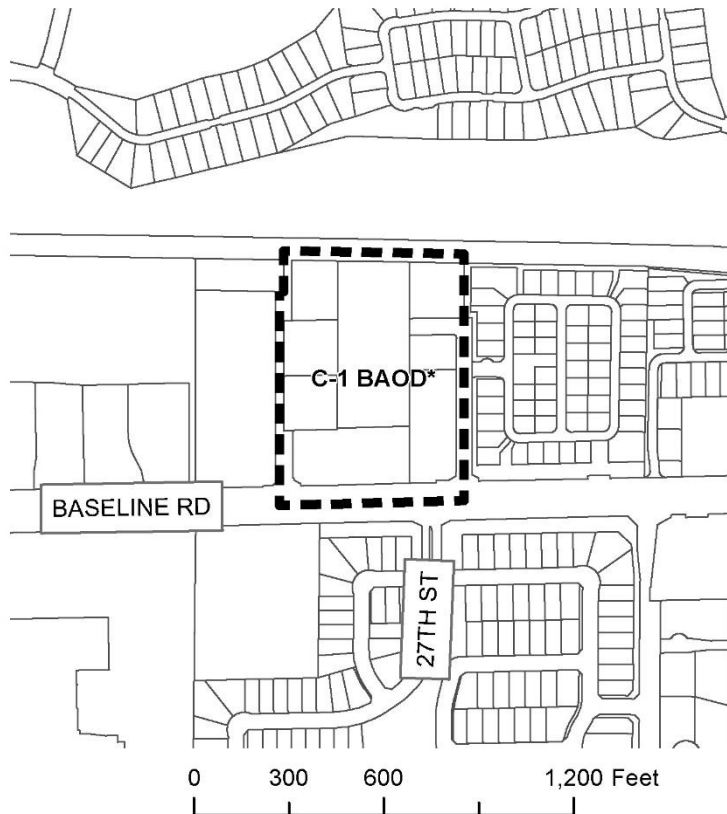
ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: ■■■■■

Zoning Case Number: Z-10-18-8

Zoning Overlay: Baseline Area Plan and Overlay District

Planning Village: South Mountain



NOT TO SCALE



Drawn Date: 6/7/2018