

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-28-14-2 PREVIOUSLY APPROVED BY
ORDINANCE G-6044.

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

SECTION 1. The zoning stipulations applicable located at the northeast
corner of 43rd Street and Lone Mountain Road in a portion of Section 18, Township 5
North, Range 4 East, as described more specifically in Attachment "A", are hereby
modified to read as set forth below.

STIPULATIONS:

1. An updated Development Narrative for the Lone Mountain Senior Living 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 OCTOBER 20,
2020 ~~May 8, 2015~~, as modified by the following:
 - a. PAGE 13, SECTION B, LAND USE PLAN: REPLACE "CONCEPTUAL
SITE AND LANDSCAPE PLAN FOR LONE MOUNTAIN SENIOR
LIVING" WITH THE "LONE MOUNTAIN ILLUSTRATED SITE PLAN"
DATE STAMPED SEPTEMBER 22, 2020.

~~Page 11, Section B Land Use Plan, The fourth paragraph shall read:
"This includes a 25-foot heavily landscaped streetscape tract along Lone
Mountain Road, which includes indigenous plant material. Likewise,
43rd Street has a 25-foot right of way and a 28-foot building setback.~~

~~This building setback includes a 25-foot heavily landscaped streetscape, which includes a generous amount of indigenous plant material."~~

- b. UPDATE ALL TEXT REFERENCES TO BUILDING SQUARE FOOTAGE AND LOT COVERAGE PER THE "LONE MOUNTAIN ILLUSTRATED SITE PLAN" DATE STAMPED SEPTEMBER 22, 2020.

~~Page 19, Existing Land Summary Table row 4 column 2 General Plan Land Use Classification, in line with South Direction and Desert Willow Elementary School Existing Use shall read: "Public/Quasi-Public".~~

- c. ~~Page 19, Existing Land Summary Table row 4 column 3 Existing Zoning, in line with South Direction and Desert Willow Elementary School Existing Use shall read: "R1-6 PCD".~~

- 2. A 10-foot sidewalk easement shall be dedicated along the north side of Lone Mountain Road, as approved by the Planning and Development Department.
- 3. The developer shall construct all streets adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
- 4. PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS IN A FORM APPROVED BY THE CITY ATTORNEY'S OFFICE. 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-6044, this portion of the rezoning is now subject to the stipulations approved pursuant to Ordinance G-6044 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 3rd day of February, 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)

EXHIBIT A

LEGAL DESCRIPTION FOR PHO-1-20-- Z-28-14-2

The West half of the Southeast Quarter of the Southeast Quarter of the Southwest Quarter of Section 18, Township 5 North, Range 4 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

DRAFT

ORDINANCE LOCATION MAP

EXHIBIT B

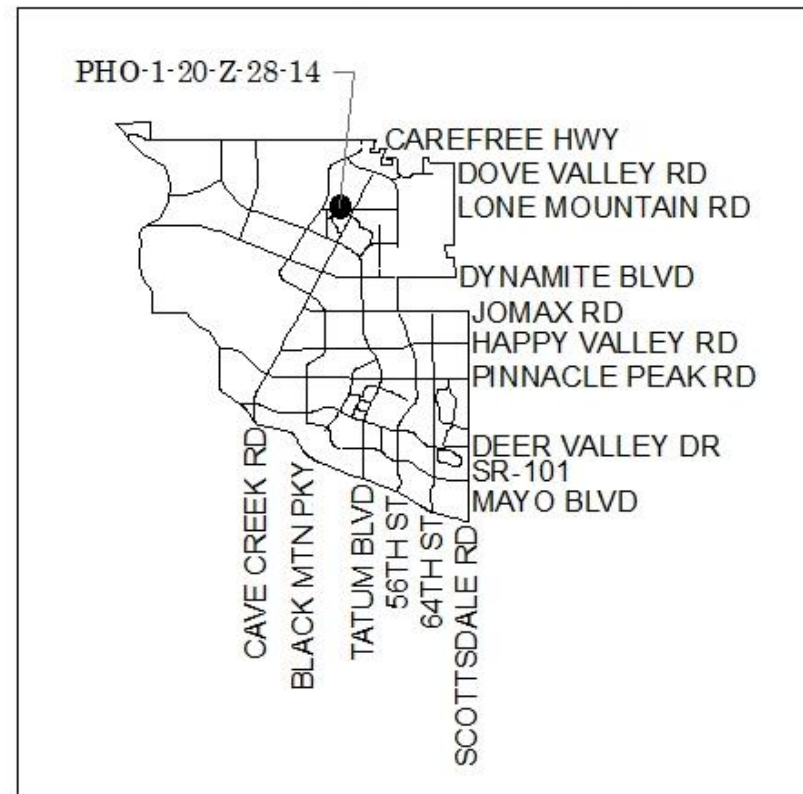
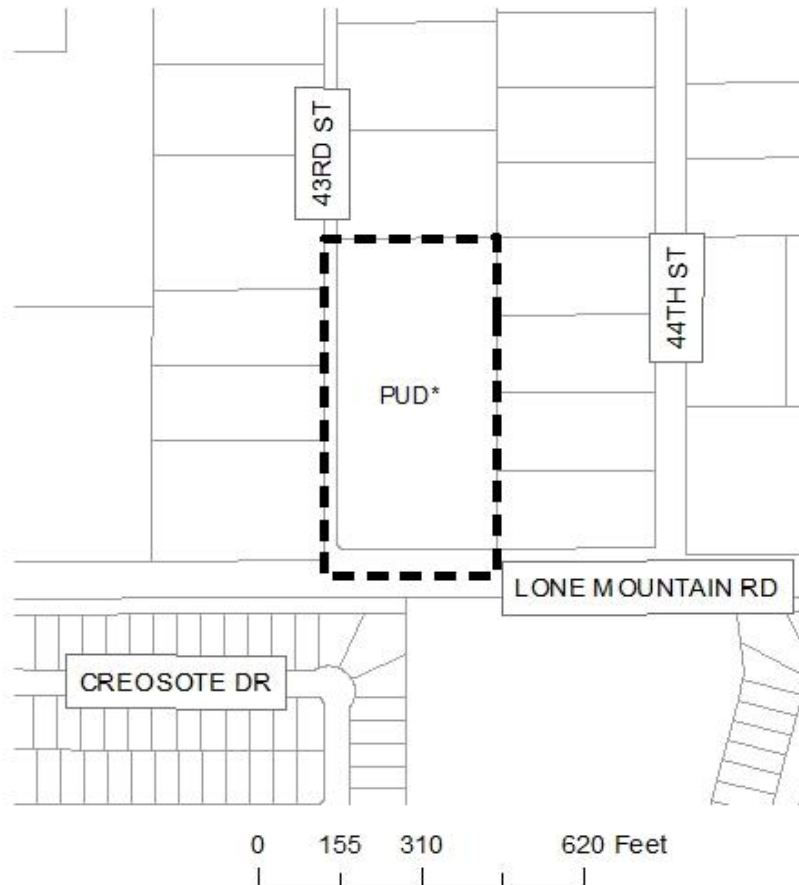
ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: ■ ■ ■ ■ ■

Zoning Case Number: PHO-1-20-Z-28-14

Zoning Overlay: N/A

Planning Village: Desert View



NOT TO SCALE



Drawn Date: 1/4/2021