

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-49-17-8 PREVIOUSLY APPROVED BY
ORDINANCE G-6393.

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

SECTION 1. The zoning stipulations applicable located at the northwest
corner of 55th Avenue and Elliot Road in a portion of Section 8, Township 1 South, Range
2 East, as described more specifically in Attachment "A", are hereby modified to read as
set forth below.

STIPULATIONS:

1. Conceptual elevations shall be IN GENERAL CONFORMANCE TO THE
ELEVATIONS DATE STAMPED FEBRUARY 22, 2018 ~~reviewed and approved by
the Planning Hearing Officer through the public hearing process for stipulation
modification prior to preliminary site plan approval.~~ The elevations shall comply with
the requirements of single-family design review and shall incorporate four-sided
architecture, exterior accent materials, detailing, and a color palette, that conveys a
sense of continuity throughout the development..
2. The developer shall provide detached sidewalks along both 55th Avenue and Elliott
Road. A minimum five-foot wide landscaped strip shall be located between the
sidewalk and back of curb and shall include minimum 2-inch caliper shade trees
planted a minimum of 20 feet on center or equivalent groupings, as approved by the
Planning and Development Department.
3. The streetscape landscaping along Elliott Road shall be installed and maintained
with minimum 50% 2-inch caliper shade trees and a minimum 50% 3-inch caliper

shade trees planted a minimum of 20 feet on center, staggered on both sides of the sidewalk, or equivalent groupings for a depth of 25 feet. An additional 25 feet shall be landscaped with 2-inch caliper shade trees 30 feet on center or equivalent groupings. Trees along the street frontages shall be planted adjacent to the sidewalk to provide shade/thermal comfort for pedestrians, as approved by the Planning and Development Department.

4. The developer shall provide a landscaped entry feature located on both sides the south entrance into the development along Elliott Road, as approved by the Planning and Development Department.
5. The developer shall construct a minimum 10-foot wide pedestrian pathway within a 30-foot wide centralized open space tract that connects from Elliot Road to the northern boundary of the site, as approved by the Planning and Development Department.
6. The perimeter walls adjacent to 55th Avenue shall include minimum 3-foot v-shaped offsets at a minimum interval of every four lots. Additionally, materials and textural differences such as stucco and/or split face block, decorative concrete, brick, and stone, or a combination of these materials with block stucco walls shall be incorporated, as approved by the Planning and Development Department.
7. The lots located at the most southern and eastern boundaries of the site shall be limited to a maximum of 50% 2-story homes, with no two 2-story homes built adjacent to each other, as approved by the Planning and Development Department.
8. The developer shall construct a 10-foot wide public multi-use trail (MUT) within a 20-foot wide multi-use trail easement (MUTE) as indicated in Section 429 of the City of Phoenix MAG Supplement, along the north side of Elliot Road and the west side of 55th Avenue, as approved by the Planning and Development Department.
9. The following right-of-way dedications shall be provided and shall be consistent with the Tierra Montana PCD Master Street Plan, as approved by the Planning and Development Department:
 - a. Thirty feet shall be dedicated for the west half of 55th Avenue.
 - b. A total of 50 feet shall be dedicated for the north half of Elliot Road.
10. 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.
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.

SECTION 2. Due to the site's specific physical conditions and the use district granted pursuant to Ordinance G-6393, this portion of the rezoning is now subject to the stipulations approved pursuant to Ordinance G-6393 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 16th day of May , 2018.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

REVIEWED BY:

City Manager

Exhibits:

A - Legal Description (1 Pages)

B - Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR PHO-1-18-- Z-49-17-8

THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 8,
TOWNSHIP 1 SOUTH, RANGE 2 EAST, OF THE GILA SALT RIVER BASE AND
MERIDIAN, MARICOPA COUNTY, ARIZONA.

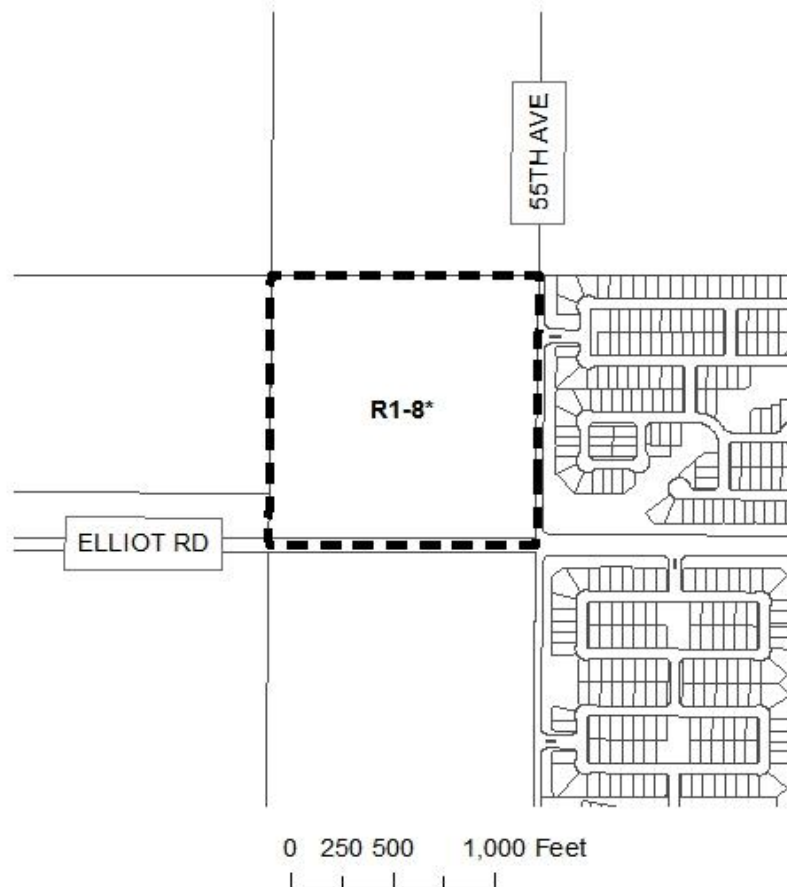
EXCEPT THE SOUTH 33 FEET THEREOF.

CONTAINS 1,692,072 SQUARE FEET OR 38.8446 ACRES, MORE OR LESS.

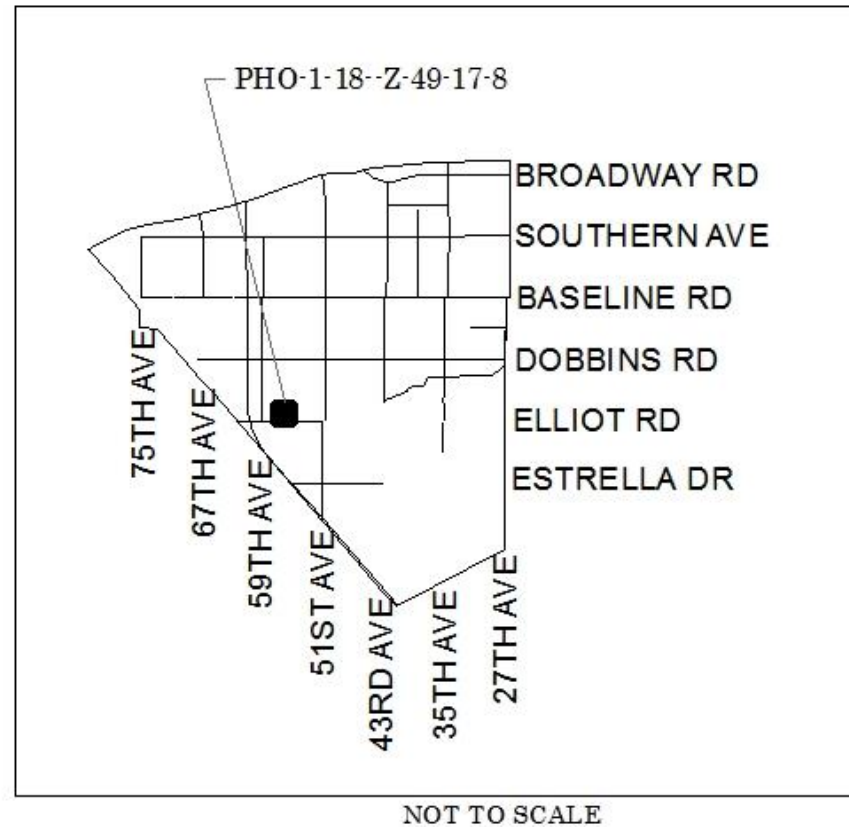
ORDINANCE LOCATION MAP

EXHIBIT B

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



Zoning Case Number: PHO-1-18-Z-49-17-8
Zoning Overlay: N/A
Planning Village: Laveen



Drawn Date: 4/20/2018