

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-71-17-8) FROM S-1 (RANCH OR FARM RESIDENCE DISTRICT) TO R1-8 (SINGLE-FAMILY RESIDENCE DISTRICT).

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

SECTION 1. The zoning of an approximately 23.29-acre property located at the northeast corner of 23rd Avenue alignment and Baseline Road in a portion of Section 36, Township 1 North, Range 2 East, as described more specifically in Exhibit "A", is hereby changed from "S-1" (Ranch or Farm Residence District), to "R1-8" (Single-Family Residence 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. All lots along the north property line shall be limited to a maximum height of one story and 16 feet, as approved by the Planning and Development Department.
2. A minimum landscape setback of 50 feet shall be provided along the south property line, adjacent to Baseline Road. The landscape setback may be reduced to 47 feet for up to 50% of this frontage for the purpose of staggering the perimeter theme wall, as approved by the Planning and Development Department.
3. The development shall be in general conformance with the Conceptual Landscape Plan, Conceptual Amenity Area plan, Conceptual Wall Details, Conceptual Gate and Ramada Elevations, and Conceptual Entry Monument and Theme Wall plan, date stamped January 25, 2018 with specific regard to the following, as approved by the Planning and Development Department:
 - a. The centralized open space area as depicted on the Conceptual Landscape Plan shall have a minimum area of 1.40 acres.
 - b. A minimum of five different amenities shall be provided as depicted on the Conceptual Landscape Plan, or similar amenities, as approved by the Planning and Development Department.
4. The developer shall provide a pedestrian pathway with a minimum width of 10 feet within 400 feet of the southeast corner of the site to provide access to Baseline Road, as approved by the Planning and Development Department.
5. Sidewalks along 23rd Avenue and Baseline Road shall be detached with a minimum five-foot wide landscaped strip located between the sidewalk and back of curb and shall include a minimum two-inch caliper shade trees planted a minimum of 20 feet on center or equivalent groupings along both sides of the sidewalk, as approved by the Planning and Development Department. The landscape strip shall be installed by the developer and maintained by the homeowner's association.
6. All sidewalks along internal private streets and tracts shall be detached with a minimum three-foot wide landscaped strip located between the sidewalk and back of curb as approved by the Planning and Development Department, except that the sidewalk may be attached to the curb if detaching the sidewalk in this manner would decrease the usable width of a landscape tract adjacent to the back of the sidewalk to less than five feet. Any landscape strip installed between the curb and detached sidewalk shall be installed by the developer and maintained by the HOA.
7. The developer shall dedicate a 30-foot wide multi-use trail easement (MUTE) along the north side of Baseline Road and construct a multi-use trail within the easement as indicated in Section 429 of the City of Phoenix MAG Supplement,

and as approved by the Parks and Recreation Department and Planning and Development Department.

STREETS

8. The developer shall dedicate 30 feet of right-of-way for the east half of 23rd Avenue, as approved by the Planning and Development Department.
9. 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.

ARCHAEOLOGY

10. 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.
11. 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.
12. 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 2nd day of May, 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)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-71-17-8

THE WEST 763.55 FEET OF THE SOUTHWEST QUARTER OF SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 1 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE SOUTH QUARTER CORNER OF SECTION 36, BEING MARKED BY A CITY OF PHOENIX BRASS CAP IN HAND HOLE, FROM WHICH POINT THE SOUTHEAST CORNER OF SAID SECTION 36, BEING MARKED BY A BRASS CAP IN HAND HOLE, BEARS NORTH 89°51'15" EAST, A DISTANCE OF 2647.63 FEET;

THENCE NORTH 00°20'41" EAST, ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER, A DISTANCE OF 1318.63 FEET TO THE NORTHWEST CORNER THEREOF;

THENCE NORTH 89°51'10" EAST, ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER, A DISTANCE OF 763.58 FEET TO THE EAST LINE OF SAID WEST 763.55 FEET;

THENCE SOUTH 00°20'41" WEST, ALONG SAID EAST LINE, A DISTANCE OF 1318.65 TO THE SOUTH LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER;

THENCE SOUTH 89°51'15" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 763.58 FEET TO **THE POINT OF BEGINNING.**

CONTAINING 1,006,846 SQ.FT. OR 23.1140 ACRES, MORE OR LESS.

ORDINANCE LOCATION MAP

EXHIBIT B

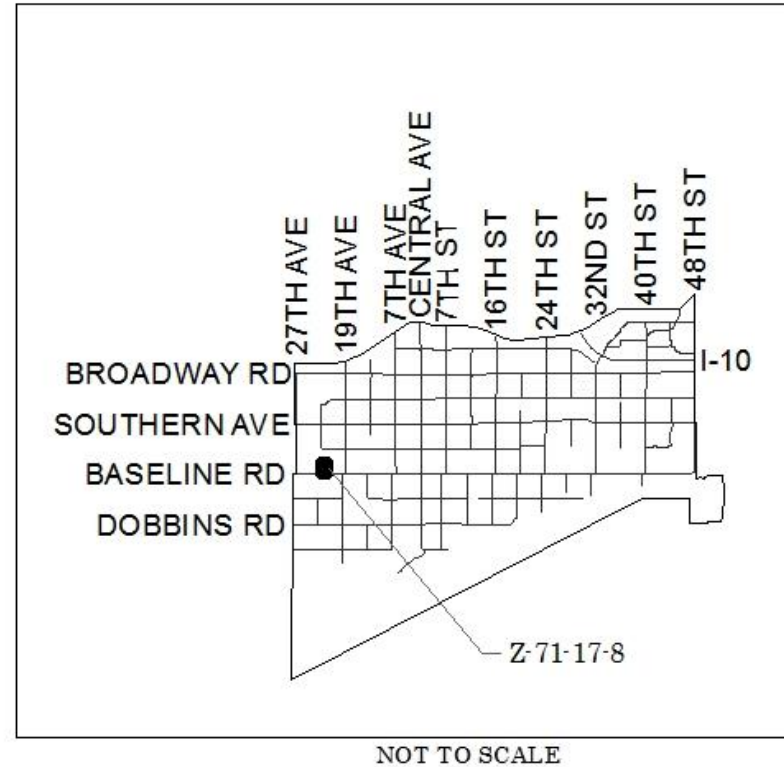
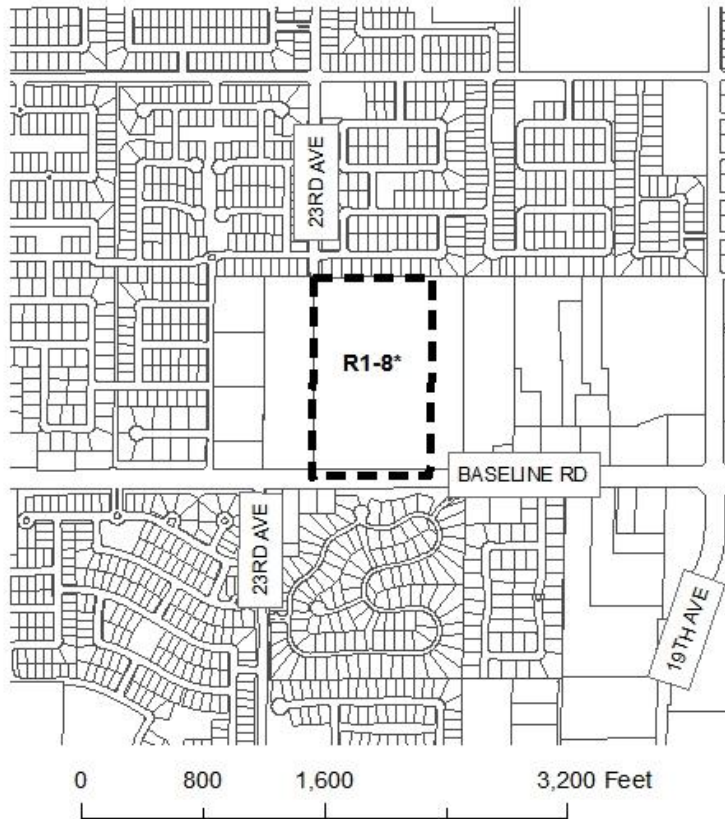
ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: - - - - -

Zoning Case Number: Z-71-17-8

Zoning Overlay: N/A

Planning Village: South Mountain



Drawn Date: 4/4/2018