

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-49-13-8 PREVIOUSLY APPROVED BY
ORDINANCE G-5916.

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

SECTION 1. The zoning stipulations applicable located approximately 1,000
feet south of the southeast corner of 35th Avenue and Baseline Road in a portion of
Section 2, Township 1 South, Range 2 East, as described more specifically in Attachment
“A”, are hereby modified to read as set forth below.

STIPULATIONS:

1. The conceptual elevations and site plan shall be administratively approved by the Planning Hearing Officer prior to preliminary site plan approval. This review is for conceptual purposes only. Specific development standards and requirements will be determined by the Planning and Development Department.
2. The maximum number of residential lots shall not exceed 70 lots, as approved by the Planning and Development Department.
3. The development shall have a minimum of 10% open space, as approved by the Planning and Development Department.
4. Lots 12, 13, 24, 25, 32, 44, 57 and 58 shall construct perimeter walls with a minimum of 3-2 feet of view fencing for the shared property lines with landscape tract/open space C, E, J and I, as approved by the Planning and Development Department.

5. The exterior of the perimeter walls adjacent to 35th Avenue shall be, or finished with, decorative concrete, brick, or stone. The top tier shall be finished with some form of enhancement or embellishment, such as but not limited to corbels, cornices, dentils, pilasters, or artistic insets, which contrasts with the primary wall material as approved by the Planning and Development Department.
6. The property owner shall record documents that disclose the existence, and operational characteristics of Sky Harbor International Airport to future owners or tenants of the property. 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.
7. The applicant shall dedicate and construct 34th Avenue and connect to the proposed subdivision, as approved by the Planning and Development Department.
8. The applicant shall dedicate a total of 55 feet for the east half of 35th Avenue with a 30-foot Multi-Use Trail Easement (MUTE), 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, landscaping and other incidentals as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
10. The landscape setback along 35th Avenue shall be compatible and use the same plant materials/theme as the Sierra Vista residential development located to the south, as approved by the Planning and Development Department.
11. Split open fencing shall be located along 35th Avenue and incorporated into the entry way to the subdivision, as approved by the Planning and Development Department.
12. Lots 1, 2, 60, 63, 64, 65, 66, 68 and 70 shall be limited to one-story in height, as approved by the Planning and Development Department.
13. The developer shall notify the following individuals by mail 15 days prior to any Preliminary Site Plan meetings with the Planning and Development Department, Planning Hearing Officer request to modify stipulations or any Zoning Adjustment requests. The notice shall include the date, time and location of the meeting/hearing.
 - a. Mr. John Kimoto
 - b. Mr. Phil Hertel
 - c. Laveen Village Planning Committee Sign-in-sheet dated March 10, 2014.
14. A perimeter fence plan for the western face of the east wall on Tracts A and B, conceptual sign plan, conceptual building elevations, conceptual lighting plan, conceptual landscape plan and a detailed entry feature plan be presented to the

Laveen Village Planning Committee for review and comment prior to preliminary approval.

15. The minimum lot width shall not be less than 55 feet except the pie shaped corner Lots 24 and 25, as approved by the Planning and Development Department.

SECTION 2. Due to the site's specific physical conditions and the use district granted pursuant to Ordinance G-5916, this portion of the rezoning is now subject to the stipulations approved pursuant to Ordinance G-5916 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 30th day of August, 2017.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

REVIEWED BY:

____ City Manager

Attachments:

A - Legal Description (1 Page)

B - Ordinance Location Map (1 Page)

DRAFT

ATTACHMENT A

LEGAL DESCRIPTION FOR PHO-1-17--Z-49-13-8

A PORTION OF LOTS 4 AND 5, YOUNG ACRES ACCORDING TO THE PLAT OF RECORD IN BOOK 17 OF MAPS, PAGE 15, RECORDS OF MARICOPA COUNTY, ARIZONA AND A PORTION OF THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 1 SOUTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 2, THENCE SOUTH $0^{\circ}11'27''$ WEST ALONG THE WEST LINE OF SAID SECTION 2, A DISTANCE OF 1357.15 FEET TO THE TRUE POINT OF BEGINNING. OF THE HEREIN DESCRIBED PARCEL;

THENCE NORTH $89^{\circ}50'35''$ EAST, A DISTANCE OF 822.01 FEET;

THENCE NORTH $0^{\circ}14'49''$ EAST, A DISTANCE OF 793.19 FEET;

THENCE NORTH $89^{\circ}54'36''$ EAST, A DISTANCE OF 164.56 FEET,

THENCE NORTH $0^{\circ}15'29''$ EAST, A DISTANCE OF 0.98 FEET;

THENCE NORTH $89^{\circ}54'36''$ EAST, A DISTANCE OF 329.11 FEET;

THENCE SOUTH $0^{\circ}16'50''$ WEST, A DISTANCE OF 1123.92 FEET;

THENCE SOUTH $89^{\circ}50'34''$ WEST, A DISTANCE OF 1314.69 FEET;

THENCE NORTH $0^{\circ}11'27''$ EAST, A DISTANCE OF 330.33 FEET TO THE TRUE POINT OF BEGINNING.

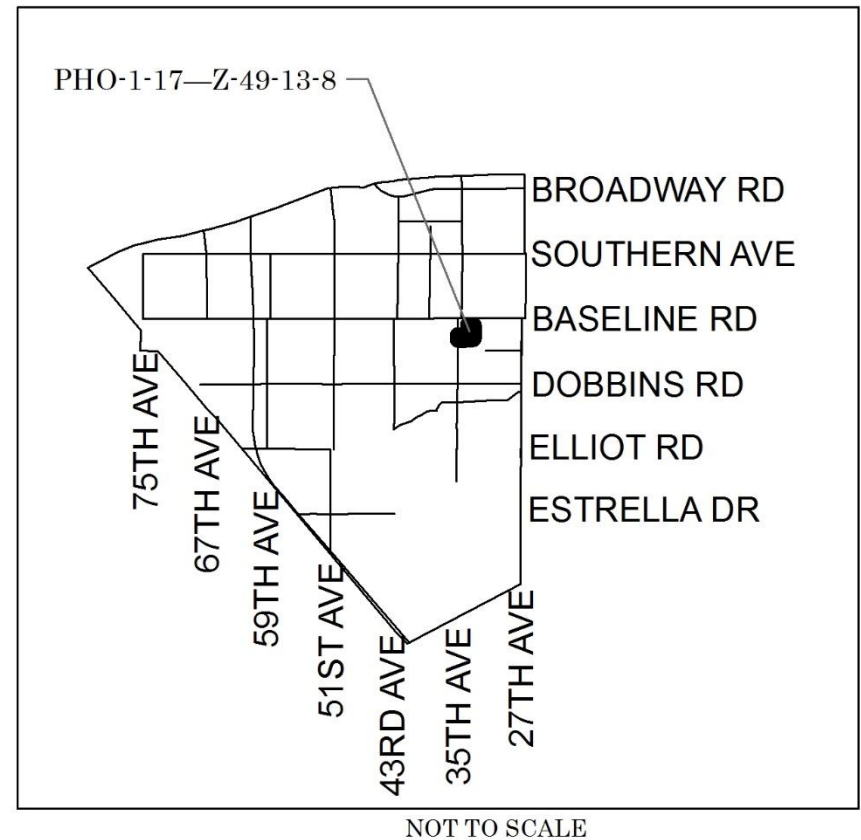
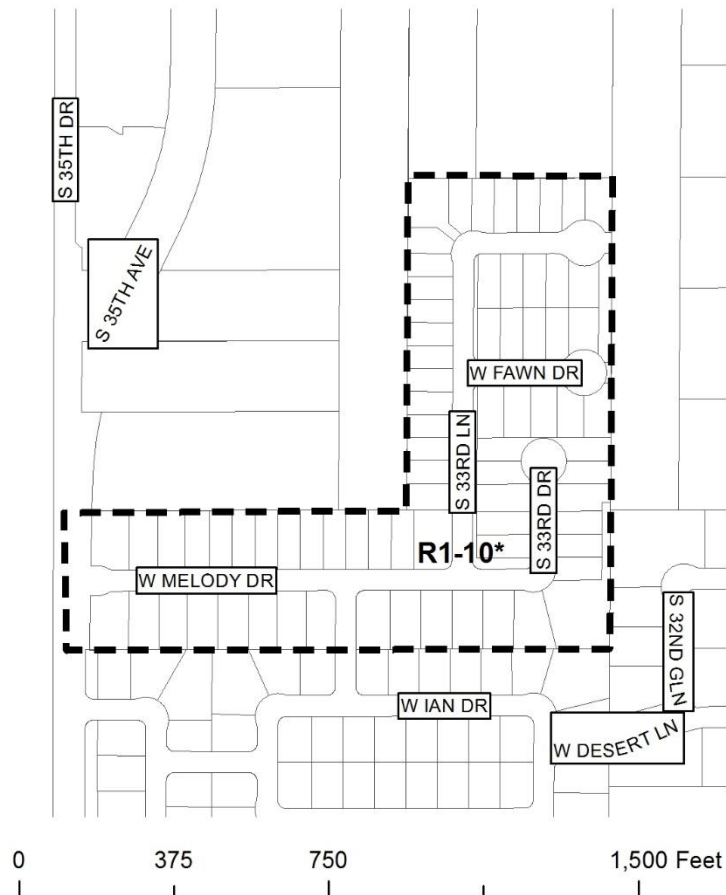
SAID PARCEL CONTAINS 825,915 SQUARE FEET OR 18.960 ACRES, MORE OR LESS.

ORDINANCE LOCATION MAP

ATTACHMENT B

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

Zoning Case Number: PHO-1-17—Z-49-13-8
Zoning Overlay: N/A
Planning Village: Laveen



Drawn Date: 7/31/2017