

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 85-16-8) FROM S-1 (RANCH OR FARM RESIDENCE) TO R1-10 (SINGLE-FAMILY RESIDENCE DISTRICT).

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

SECTION 1. The zoning of an approximately 79.58-acre property located at the northeast corner of 35th Avenue and Baseline Road in a portion of Section 35, Township 1 North, Range 2 East, as described more specifically in Exhibit "A", is hereby changed from "S-1" (Ranch or Farm Residence) to "R1-10" (Single-Family Residential 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 site plan date stamped March 20, 2017, with specific regarding to the following, as approved by the Planning and Development Department.
 - a. A minimum 50-foot landscape setback along Baseline Road
 - b. Maximum of 295 lots
 - c. The location of the 45-foot-wide lots as shown on the site plan
 - d. A minimum of 15% open space shall be provided
 - e. Lots along the northern boundary shall be a maximum of one-story with the exception of the pie-shaped lots
 - f. No consecutive two-story homes along Baseline Road and 35th Avenue
 - g. The perimeter lots along Baseline Road and 35th Avenue shall be a minimum of 55-foot-wide as shown on the site plan
 - h. A pedestrian gate shall be provided near the Baseline Road and 35th Avenue intersection
2. Right-of-way totaling 70 feet (60 feet of ROW, plus a 10-foot sidewalk easement) shall be dedicated for the north half of Baseline Road, as approved by the Planning and Development Department.
3. Right-of-way totaling 55 feet shall be dedicated for the east half of 35th Avenue, as approved by the Planning and Development Department.
4. 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 City. All improvements shall comply with all ADA accessibility standards.
5. A 30-foot-wide multi-use trail easement (MUTE) shall be dedicated along the north side of Baseline Road and a multi-use trail (MUT) shall be constructed within the easement as indicated in Section 429 of the City of Phoenix MAG Supplement.
6. The developer shall record a Notice to Perspective Purchasers of Proximity to Airport in order to disclose the existence and operational characteristics of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property.

7. The applicant shall pursue traffic mitigation options with the City of Phoenix and the Salt River Project along 35th Avenue and Baseline Road.
8. The developer shall present detailed elevations, landscape, wall and lighting plans to the Laveen Village Planning Committee for review and comment prior to preliminary site plan approval through the Planning and Development Department.

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 10th day of May, 2017.

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-85-16-8

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 35, 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 SOUTHWEST CORNER OF SAID SECTION 35, BEING A P.K. NAIL, WITH NO IDENTIFICATION, FROM WHICH THE SOUTH QUARTER CORNER OF SAID SECTION 35, BEING A 3 INCH, CITY OF PHOENIX, BRASS CAP IN A HANDHOLE, BEARS SOUTH 89 DEGREES 54 MINUTES 28 SECONDS WEST, A DISTANCE OF 2,643.11 FEET;

THENCE NORTH 00 DEGREES 46 MINUTES 42 SECONDS EAST, ALONG THE WEST LINE OF SAID SECTION 35, A DISTANCE OF 1,749.12 FEET;

THENCE DEPARTING SAID WEST LINE, NORTH 89 DEGREES 50 MINUTES 30 SECONDS EAST, ALONG THE SOUTH LINE OF THE FINAL PLAT OF "SILVERSTONE ESTATES", AS RECORDED IN BOOK 589, PAGE 16, RECORDS OF MARICOPA COUNTY, A DISTANCE OF 1,978.38 FEET TO A POINT ON THE WEST LINE OF THE FINAL PLAT OF "LAVEEN VILLAGE – AMENDED", AS RECORDED IN BOOK 606, PAGE 19, RECORDS OF MARICOPA COUNTY;

THENCE SOUTH 00 DEGREES 37 MINUTES 26 SECONDS WEST, ALONG SAID WEST LINE, A DISTANCE OF 1,751.33 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 35;

THENCE SOUTH 89 DEGREES 54 MINUTES 28 SECONDS WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 1,983.07 FEET TO THE POINT OF BEGINNING;

Contains: 3,466,343 Square Feet or 79.5763 Acres, More or Less

ORDINANCE LOCATION MAP

EXHIBIT B

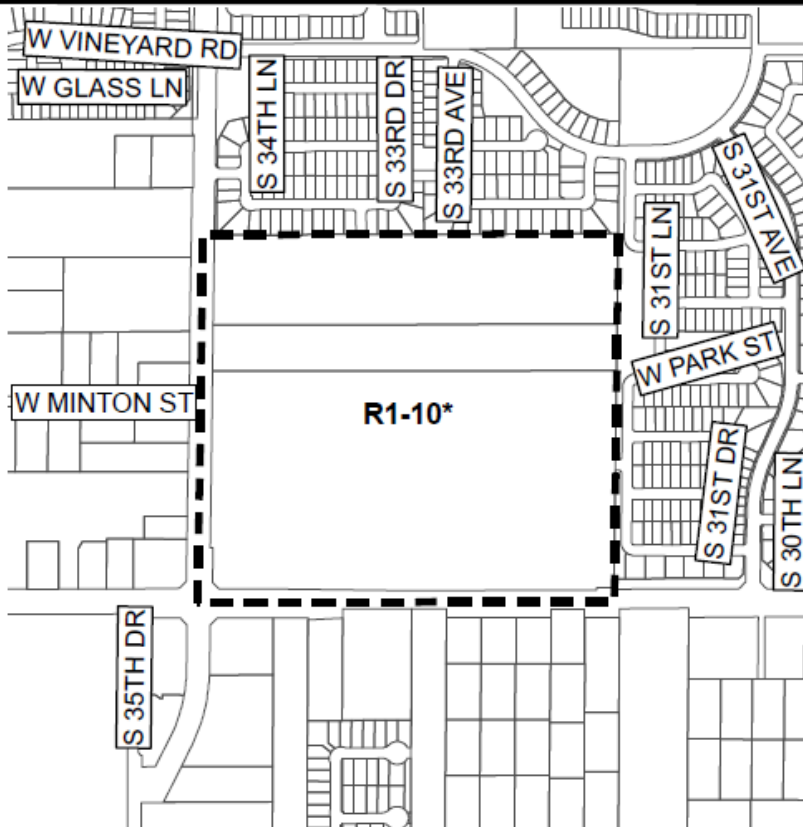
ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: ■■■■■

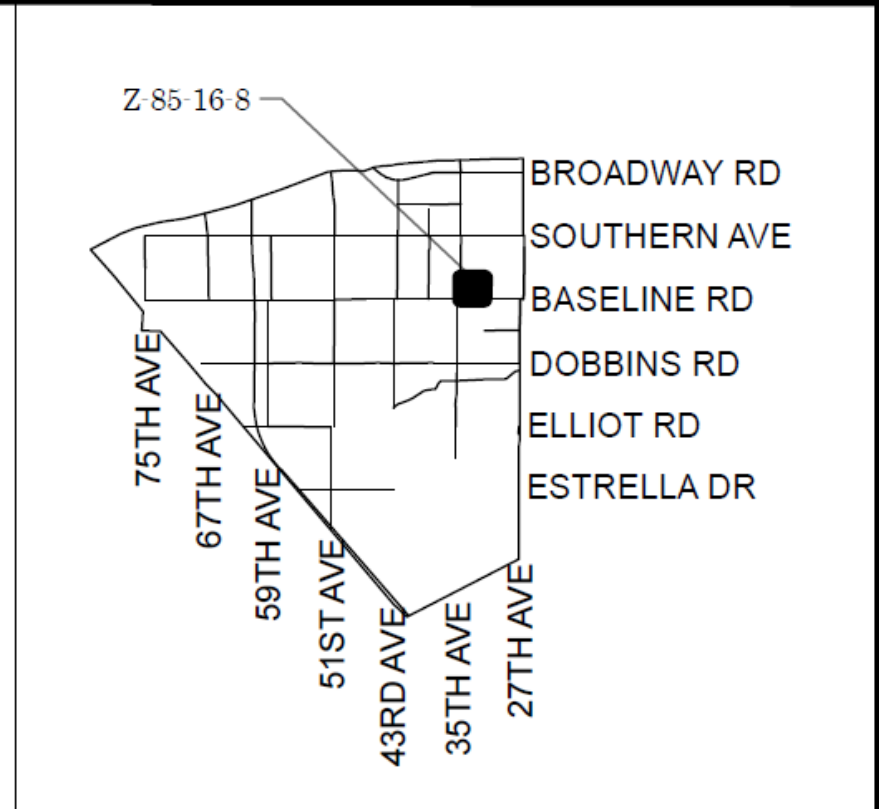
Zoning Case Number: Z-85-16-8

Zoning Overlay: N/A

Planning Village: Laveen



640 320 0 640 Feet



NOT TO SCALE



Drawn Date: 4/13/2017