

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 (Z-14-19-8) FROM S-1 (APPROVED R1-8 PCD) (RANCH OR FARM RESIDENCE DISTRICT (APPROVED SINGLE-FAMILY RESIDENCE DISTRICT, PLANNED COMMUNITY DISTRICT)) AND S-1 (APPROVED C-1 PCD) (RANCH OR FARM RESIDENCE DISTRICT (APPROVED NEIGHBORHOOD COMMERCIAL DISTRICT, PLANNED COMMUNITY DISTRICT)) TO ALLOW FOR MULTIFAMILY RESIDENTIAL AND COMMERCIAL.

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

SECTION 1. The zoning of a 30.14-acre property located at the northeast corner of 59th Avenue and Elliot Road, in a portion of Section 8, Township 1 South, Range 2 East, as described more specifically in Exhibit "A", is hereby changed from 22.08 acres of "S-1 (Approved R1-8 PCD)" (Ranch or Farm Residence District (Approved Single-Family Residence District, Planned Community District)) and 8.06 acres of "S-1 (Approved C-1 PCD)" (Ranch or Farm Residence District (Approved Neighborhood Commercial District, Planned Community District)) to 22.89 acres of

“R-3” (Multifamily Residence District) and 7.25 acres of “C-2” (Intermediate Commercial District) to allow for multifamily residential and commercial.

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 conceptual site plan, landscape plan, lighting plan and building elevations for the commercial (C-1) portion of the site shall be reviewed and approved by the Planning Hearing Officer through the public hearing process prior to preliminary site plan approval.
2. The development shall be in general conformance with the site plan and elevations date stamped May 3, 2019, as approved by the Planning and Development Department, and as modified by the following criteria:
 - a. The front elevations shall consist of a minimum of 10% non-stucco accent material.
 - b. The development shall provide gated access.
 - c. The development shall have a maximum of 249 units.
3. A 30-foot minimum landscape setback shall be provided along 59th Avenue and along Elliott Road, as approved by the Planning and Development Department.
4. The developer shall provide a minimum of 10% open space, as approved by the Planning and Development Department.
5. The developer shall install a minimum of 20 inverted U-bicycle racks for guests, installed per the requirements of Section 1307.H.4 of the Zoning Ordinance, as approved by the Planning and Development Department.

6. A pedestrian connection shall be provided between the R-3 and C-1 portions of the site, as approved by the Planning and Development Department.
7. 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.
8. The applicant shall submit a Traffic Impact Study to the City for this development. The conclusions of the study will be used to determine the required roadway and traffic improvements to be provided by the developer. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City. Contact Mr. Matthew Wilson (602-262-7580) to set up a meeting to discuss the requirements of the study. The Traffic Impact Study shall also be submitted to the Arizona Department of Transportation for review and approval.
9. The developer shall provide for a 55-foot half street right-of-way dedication for the east side of 59th Avenue for the entire length of property, extending to Elliot Road. This shall include 37 feet of paving for the east half of 59th Avenue.
10. The developer shall provide for a 55-foot half street right-of-way dedication on the north side of Elliot Road from 59th Avenue to the existing residential development to the east. Include 37 feet of paving for the north half of Elliot Road and additional improvements, as approved by the Planning and Development Department.
11. The developer shall provide for a 25-foot by 25-foot right-of-way triangle dedication at the northeast corner of the 59th Avenue and Elliot Road intersection.
12. Open irrigation facilities are to be relocated and piped outside of the right-of-way. Contact Salt River Project to identify existing land rights and establish an appropriate process to relocate facility. Relocations that require additional dedications or land transfer require completion prior to obtaining plat and/or civil plan review approval.
13. The developer shall underground existing overhead electrical utilities within the public right-of-way that are impacted or to be relocated as part of this project, as approved by the Planning and Development Department.
14. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, 5-foot sidewalk, curb ramps, streetlights, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with the current ADA Guidelines.

15. Any request to change, delete or modify stipulations shall be presented through the Planning Hearing Officer process and notification shall be given to the Laveen Village Planning Committee prior to the Planning Hearing Officer hearing.

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 3rd day of July, 2019.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

REVIEWED BY:

City Manager

Exhibits:

A – Legal Description (1 Page)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION – Z-14-19-8

COMMERCIAL PORTION:

A portion of the Southwest Quarter of Section 8, Township 1 South, Range 2 East, of the Gila and Salt River Meridian, Maricopa County, Arizona, being more particularly described as follows:

Beginning at a brass cap in handhole at the Southwest Corner of said Southwest Quarter, from which a brass cap in handhole at the West Quarter corner of said Section 8 bears North 0 degrees 14 minutes 04 seconds East, 2641.07 feet;
thence North 0 degrees 14 minutes 04 seconds East along the West line of said Southwest Quarter, 780.01 feet;
thence South 89 degrees 58 minutes 16 seconds East, 405.00 feet;
thence South 0 degrees 14 minutes 04 seconds West, 780.01 feet to a point on the South line of said Southwest Quarter;
thence North 89 degrees 58 minutes 16 seconds West along said South line, 405.00 feet to the POINT OF BEGINNING.
Contains 7.2521 acres, more or less.

RESIDENTIAL PORTION:

A portion of the Southwest Quarter of Section 8, Township 1 South, Range 2 East, of the Gila and Salt River Meridian, Maricopa County, Arizona, being more particularly described as follows:

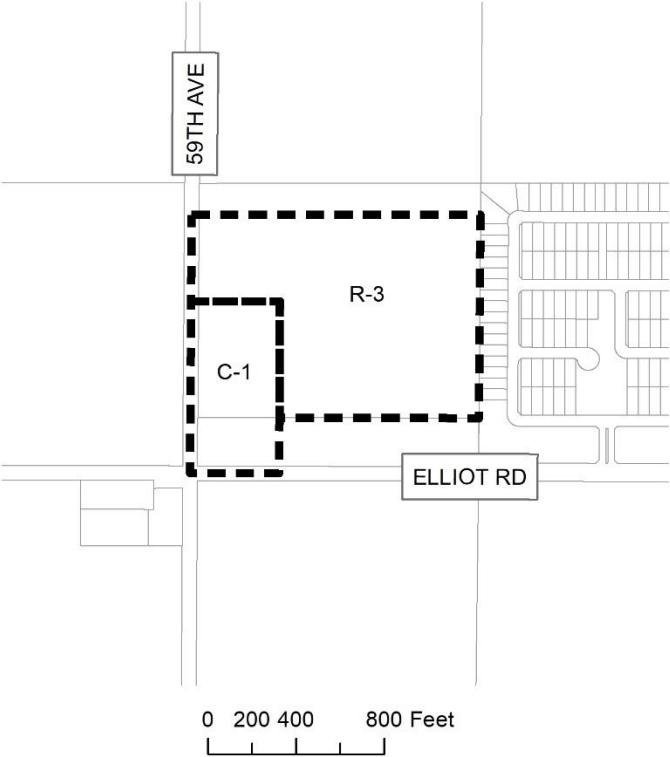
Commencing at a brass cap in handhole at the Southwest Corner of said Section 8, from which a brass cap in handhole at the West Quarter corner of said Section 8 bears North 0 degrees 14 minutes 04 seconds East, 2641.07 feet;
thence North 0 degrees 14 minutes 04 seconds East along the West line of said Southwest Quarter, 780.01 feet to the POINT OF BEGINNING;
thence continuing along said west line, North 0 degrees 14 minutes 04 seconds East, 394.00 feet;
thence South 89 degrees 58 minutes 16 seconds East, 1311.22 feet to a point on the east line of the southwest quarter of the southwest quarter of said Section 8;
thence along said east line, South 0 degrees 18 minutes 53 seconds West, 921.01 feet to a point on a line parallel with and 253 feet north of the south line of the southwest quarter of said Section 8;
thence along said parallel line, North 89 degrees 58 minutes 16 seconds West, 904.93 feet;
thence North 0 degrees 14 minutes 04 seconds East, 527.00 feet;
thence North 89 degrees 58 minutes 16 seconds West, 405.00 feet to the POINT OF BEGINNING;
Contains 22.8100 acres (gross), more or less.

ORDINANCE LOCATION MAP

EXHIBIT B

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

Zoning Case Number: Z-14-19-8
Zoning Overlay: N/A
Planning Village: Laveen



NOT TO SCALE



Drawn Date: 6/4/2019