

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-46-18-8 PREVIOUSLY APPROVED BY
ORDINANCE G-6522.

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

SECTION 1. The zoning stipulations applicable located at the southwest
corner of 55th Avenue and Elliot Road in a portion of Section 17, Township 1 South,
Range 2 East, as described more specifically in Attachment "A", are hereby modified to
read as set forth below.

STIPULATIONS:

1.	<p>Conceptual elevations shall be reviewed and approved by the Planning Hearing Officer through the public hearing process for stipulation modification prior to single-family design review. The elevations shall incorporate a front porch or seating area, four-sided architecture, and exterior accent materials, detailing, and color palette, that conveys a sense of continuity throughout the development, as approved by the Planning and Development Department.</p> <p>SINGLE-STORY ELEVATIONS SHALL BE IN GENERAL CONFORMANCE TO THE CONCEPTUAL ELEVATIONS DATE STAMPED JANUARY 3, 2019. TWO-STORY PROJECT ELEVATIONS SHALL BE IN GENERAL CONFORMANCE TO THE CONCEPTUAL ELEVATIONS DATE STAMPED FEBRUARY 15, 2019. ALL BUILDING ELEVATIONS SHALL BE DESIGNED WITH SPECIFIC REGARD TO THE FOLLOWING, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT:</p>

	A.	ALL ELEVATIONS SHALL PROVIDE A COVERED FRONT PORCH AND/OR ENCLOSED SEATING AREA.
	B.	ALL ELEVATIONS OF THE BUILDING SHALL CONTAIN ARCHITECTURAL EMBELLISHMENTS AND DETAILING SUCH AS TEXTURAL CHANGES, PILASTERS, OFFSETS, RECESSES, VARIATION IN WINDOW SIZE AND LOCATION, AND/OR OTHER OVERHANG CANOPIES.
	C.	THE DEVELOPER SHALL PROVIDE A MINIMUM OF NINE UNIQUE COLOR SCHEME OPTIONS.
2.		The developer shall provide a 55-foot landscape setback along Elliot Road, with a minimum of two rows of 50% minimum 2-inch caliper shade trees and a minimum of 50% 3-inch caliper shade trees, 30 feet on center or equivalent groupings, as approved by the Planning and Development Department.
3.		The developer shall provide minimum 300 square foot landscaped entry features located on each side of the north entrance on Elliott Road and the east entrance on 55th Avenue. The entry features should include a mix of mature trees, shrubs, and flower beds, as approved by the Planning and Development Department.
4.		The developer shall construct a minimum 10-foot pedestrian pathway within a minimum 30-foot centralized open space tract that connects from Elliot Road to the southern boundary of Tract G as depicted on the site plan date stamped November 30, 2018, as approved by the Planning and Development Department.
5.		The developer shall provide a minimum of 18% open space, as approved by the Planning and Development Department.
6.		The primary perimeter rear walls adjacent to Elliot Road and 55th Avenue shall include minimum three-foot 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.		Lots located adjacent to 55th Avenue and Elliot Road shall be limited to a maximum of 50% two-story homes, with no more than two, two-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 shared use path (SUP) within an easement as indicated in the City of Phoenix MAG Supplement, for the west side of 55th Avenue, as approved or modified by the Planning and Development Department and the Parks and Recreation Department.

9.	Right-of-way totaling 30 feet shall be dedicated for the west half of 55th Avenue, as approved by the Planning and Development Department.
10.	Right-of-way totaling 55 feet shall be dedicated for the south half of Elliot Road, as approved by the Planning and Development Department.
11.	A 25-foot by 25-foot right-of-way triangle shall be dedicated at the southwest corner of Elliot Road and 55th Avenue, as approved by the Planning and Development Department.
12.	The applicant shall submit paving plans for all arterial streets within and adjacent to the development, to the Street Transportation Department for review prior to preliminary site plan approval.
13.	The applicant shall complete and submit the Developer Project Information Form for the MAG Transportation Improvement Program to Mr. Alan Hilty, (602) 262-6193, with the Street Transportation Department. This form is a requirement of the EPA to meet clean air quality requirements.
14.	The street access to the development on 55th Avenue shall align with West Pack Mule Place dedicated on the east side or be off-set by a minimum of 125 feet, as approved by the Planning and Development Department.
15.	Detached sidewalks shall be provided in locations generally conforming to the conceptual landscape plan date stamped September 10, 2018. The sidewalks 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, as approved by the Planning and Development Department.
16.	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.
17.	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.
18.	The developer shall provide a minimum 20-foot driveway depth for fifty percent of the homes within the development, all remaining homes shall have a minimum driveway depth of 22 feet as approved by the Planning and Development Department.
19.	Each home shall have a minimum roof overhang of 12-inches.
20.	Where two, two-story homes are built adjacent to each other, the same elevation shall not be utilized if both homes share the same color scheme and floor plan.

21.	A half choker shall be installed and located on the east side of the most western north/south street, as depicted on the site plan date stamped November 30, 2018.
22.	A minimum of 33% of the lots shall be a minimum of 50 feet wide or greater, and generally located as depicted on the site plan date stamped November 30, 2018, as approved by the Planning and Development Department.
23.	The developer shall provide open space that is evenly distributed throughout the development, as generally conforming to the conceptual landscape plan date stamped September 10, 2018, and as approved by the Planning and Development Department.
24.	The developer shall construct a 10-foot wide public multi-use trail (MUT) within a 30-foot wide multi-use trail easement (MUTE) as indicated in Section 429 of the City of Phoenix MAG Supplement, for the south side of Elliott Road, as approved or modified by the Planning and Development Department and the Parks and Recreation Department.
25.	Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 Waiver of Claims in a form approved by the City Attorney's Office. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.
26.	Lots located adjacent to the east side of Tract D, as depicted on the site plan date stamped November 30, 2018, shall be limited to a maximum of one-story, as approved by the Planning and Development Department.
27.	All garages shall have a minimum depth of 22 feet, 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-6522, this portion of the rezoning is now subject to the stipulations approved pursuant to Ordinance G-6522 and as modified in Section 1 of this Ordinance. Any violation of the stipulations 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 20th day of March , 2019.

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)

ATTACHMENT A

LEGAL DESCRIPTION FOR PHO-1-19--Z-46-18-8

That portion of the Northwest Quarter of Section 17, Township 1 South, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows;

Commencing at the Northeast corner of said Section 17 (brass cap in handhole), from which the West quarter corner of said Section 17 (brass cap in handhole) bears South 00 degrees 07 minutes 37 seconds East a distance of 2,630.60 feet;

Thence, South 89 degrees 55 minutes 34 seconds West along the North Line of said Section 17 a distance of 2,619.34 feet to the North Quarter corner of said Section 17 (pk with strattlers) and the POINT OF BEGINNING;

Thence, South 00 degrees 03 minutes 26 seconds West a distance of 1,307.57;

Thence, North 89 degrees 54 minutes 48 seconds West a distance of 1,321.72 feet;

Thence, North 01 degrees 15 minutes 17 seconds West a distance of 1,304.11 feet to a point on the North Line of said Section 17;

Thence, North 89 degrees 55 minutes 31 seconds East along the North line of said Section 17, a distance of 1,351.59 feet to the POINT OF BEGINNING.

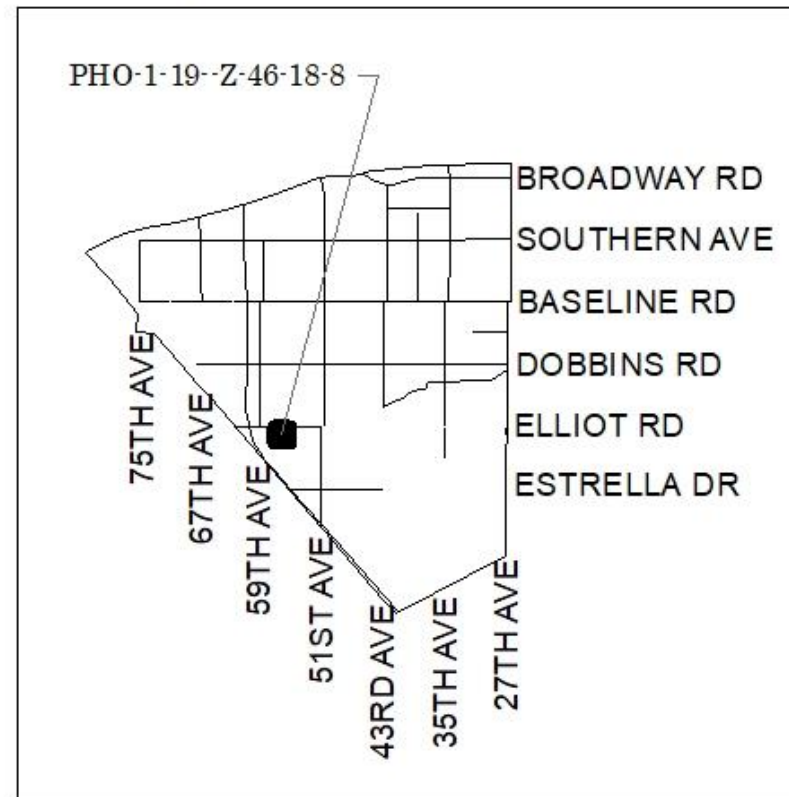
ORDINANCE LOCATION MAP

EXHIBIT B

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



Zoning Case Number: PHO 1 19 Z 46 18 8
Zoning Overlay: N/A
Planning Village: Laveen



NOT TO SCALE



Drawn Date: 2/20/2019