

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-36-18-2) FROM R1-18 (SINGLE-FAMILY RESIDENCE DISTRICT) TO R1-10 (SINGLE-FAMILY RESIDENCE DISTRICT) AND R-2 (MULTIFAMILY RESIDENCE DISTRICT).

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

SECTION 1. The zoning of an approximately 121.70-acre property located at the southeast corner of Tatum Boulevard and Grovers Avenue in a portion of Section 32, Township 4 North, Range 4 East, as described more specifically in Exhibit "A", is hereby changed from "R1-18" (Single-Family Residence District), to "R1-10" (Single-Family Residence District) and R-2 (Multifamily 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. The development shall be in general conformance with the site plan and circulation plan date stamped August 10, 2018, except as modified by the following stipulations and as approved by the Planning and Development Department:
 - a. A minimum of 20% of the gross site area shall be retained as open space.
 - b. The concrete trail shall be a minimum of 8-feet in width.
2. Full view fencing shall be utilized along 52nd Street and Grovers Avenue where common tracts abut the perimeter of the subdivision, adjacent to internal streets and open space, as approved by the Planning and Development Department.
3. All lots along Grovers Avenue and 52nd Street shall be limited to one-story and 15 feet in height, as approved by the Planning and Development Department.
4. A minimum 25-foot landscape setback with minimum 2-inch caliper trees placed 20 feet on center or in equivalent groupings shall be provided along Grovers Avenue and 52nd Street, as approved by the Planning and Development Department.
5. The developer shall provide a minimum of two amenity areas. The amenity areas shall be a minimum of one acre in size and provide at least three of the following active recreational elements or other similar elements, as approved by the Planning and Development Department:
 - a. Swimming pool
 - b. Tot lot
 - c. Barbecue and picnic areas
 - d. Game courts
 - e. Lawn or turf, putting green
 - f. Pavilions or ramadas
6. The single-family detached product shall comply with the Single-Family Design Review standards, regardless of lot size as, outlined in Section 507.Tab

A.II.C.8.1 through 8.4 of the Phoenix Zoning Ordinance and as approved by the Planning and Development Department.

7. A shade tree shall be planted in every front yard within 10 feet of the sidewalk, as approved by the Planning and Development Department.
8. The single-family detached and attached elevations shall incorporate the following elements, as approved by the Planning and Development Department.
 - a. Every 20 linear feet on each story there shall be an architectural embellishment, structural relief, window or similar, as approved by the Planning and Development Department.
 - b. All windows shall either be recessed a minimum of 2 inches or have a decorative pop-out at a minimum of 2-inches on all four sides of the home, as approved by the Planning and Development Department.
 - c. Covered porches a minimum of sixty square feet in area shall be provided in the front yard of 50% of the homes that are offered in the subdivision. No porch shall terminate within the plane of a door or window.
9. The attached single-family development shall be in general conformance with the Duplex Lot Staggering Exhibit, date stamped August 10, 2018, as approved by the Planning and Development Department.
10. The developer shall dedicate a one foot Vehicular Non-Access Easement (VNAE) along the eastern perimeter of the site, with an allowance for a maximum of one, 20-foot wide emergency access point to 52nd Street, as approved by the Planning and Development Department.
11. Right-of-way totaling 40 feet shall be dedicated for the south half of Grovers Avenue for the first 150 feet east of Tatum Boulevard. Right-of-way tapering from 40 feet to 30 feet shall be dedicated for the next 150 feet, with 30 feet of dedication for the remainder of the street, as approved by the Planning and Development Department.
12. Right-of-way totaling 40 feet shall be dedicated for the west half of 52nd Street for the first 150 feet north of Bell Road. Right-of-way tapering from 40 feet to 30 feet shall be dedicated for the next 150 feet, with 30 feet of dedication for the remainder of the street, as approved by the Planning and Development Department.
13. A 20-foot right-of-way radius shall be dedicated at the southwest corner of Grovers Avenue and 52nd Street, 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, 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.
15. The applicant shall submit a Traffic Impact Study to the Street Transportation Department and the Planning and Development Department prior to preliminary site plan review. The applicant shall be responsible for any dedications and required improvements as recommended by the approved traffic study, as approved by Planning and Development Department and the Street Transportation Department.
16. The property owner shall record documents that disclose the existence, and operational characteristics of Scottsdale Municipal Airport (SDL) 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.
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.

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 7th day of November, 2018.

MAYOR

ATTEST:

_____ City Clerk

APPROVED AS TO FORM:

_____ City Attorney

REVIEWED BY:

_____ City Manager

Exhibits:

A – Legal Description (4 Pages)

B – Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-36-18-2

**TATUM & BELL ROAD
R1-10 ZONING
LEGAL DESCRIPTION**

A portion of the Southwest quarter of Section 32, Township 4 North, Range 4 East of the Gila and Salt River Meridian, Maricopa County, Arizona, being more particularly described as follows:

BEGINNING at a found brass cap in hand hole accepted as the South quarter corner of said Section 32 from which a found brass cap in hand hole accepted as the Southwest corner thereof bears North 89°35'07" West, 2641.00 feet;

Thence North 89°35'07" West, 1320.50 feet along the south line of said southwest quarter;

Thence leaving said south line, North 00°03'45" West, 75.00;

Thence South 89°57'14" East, 468.28 feet;

Thence North 00°02'46" East, 101.08 feet;

Thence South 89°57'14" East, 112.58 feet;

Thence North 00°02'46" East, 202.16 feet;

Thence North 89°57'14" West, 40.62 feet;

Thence North 00°02'36" East, 234.85 feet;

Thence South 89°57'14" East, 101.09 feet;

Thence North 00°02'46" East, 240.00 feet;

Thence North 89°57'14" West, 3.20 feet;

Thence North 00°02'46" East, 544.22 feet;

Thence North 89°57'14" West, 101.08 feet;

Thence North 00°02'46" East, 9.21 feet;

Thence North 89°57'14" West, 532.41 feet;

Thence North 00°03'29" East, 202.16 feet;

Thence North 89°57'14" West, 269.60 feet;

Thence North 00°01'11" East, 106.10 feet;

Thence North 89°56'43" West, 771.13 feet;

Thence South 00°02'46" West, 77.94 feet;

Thence North 89°57'14" West, 196.50 feet;

Thence South 00°02'46" West, 265.12 feet;

Thence North 89°57'33" West, 90.00 feet;

Thence North 00°03'00" West, 1320.43 feet along the west line of said Southwest quarter to a found City of Scottsdale brass cap flush accepted as the West quarter corner of said Section 32;

Thence South 89°57'14" East, 2639.73 feet along the north line of said Southwest quarter to a found brass cap flush accepted as the Center of said Section 32;

Thence South 00°04'31" East, 2700.77 feet along the east line of said Southwest quarter to the **POINT OF BEGINNING**.

The above described parcel contains a computed area of 4,123,161 sq. ft. (94.6548 acres) more or less and being subject to any easements, restrictions, rights-of-way of record or otherwise.

The description shown hereon is not to be used to violate any subdivision regulation of the state, county and/or municipality or any land division restrictions.

Prepared by: HILGARTWILSON, LLC
2141 E. Highland Avenue, Suite 250
Phoenix, AZ 85016
Project No. 1441
Date: August 2018

**TATUM & BELL ROAD
R-2 ZONING
LEGAL DESCRIPTION**

A portion of the Southwest quarter of Section 32, Township 4 North, Range 4 East of the Gila and Salt River Meridian, Maricopa County, Arizona, being more particularly described as follows:

COMMENCING at a found brass cap in hand hole accepted as the South quarter corner of said Section 32 from which a found brass cap in hand hole accepted as the Southwest corner thereof bears North 89°35'07" West, 2641.00 feet;

Thence North 89°35'07" West, 1320.50 feet along the south line of said southwest quarter;

Thence leaving said south line, North 00°03'45" West, 75.00 to the **POINT OF BEGINNING**;

Thence North 00°03'45" West, 1296.96 feet;

Thence North 89°57'33" West, 1230.15 feet;

Thence North 00°02'46" East, 265.12 feet;

Thence South 89°57'14" East, 196.50 feet;

Thence North 00°02'46" East, 77.94 feet;

Thence South 89°56'43" East, 771.13 feet;

Thence South 00°01'11" West, 106.10 feet;

Thence South 89°57'14" East, 269.60 feet;

Thence South 00°03'29" West, 202.16 feet;

Thence South 89°57'14" East, 532.41 feet;

Thence South 00°02'46" West, 9.21 feet;

Thence South 89°57'14" East, 101.08 feet;

Thence South 00°02'46" West, 544.22 feet;

Thence South 89°57'14" East, 3.20 feet;

Thence South 00°02'46" West, 240.00 feet;

Thence North 89°57'14" West, 101.09 feet;

Thence South 00°02'36" West, 234.85 feet;

Thence South 89°57'14" East, 40.62 feet;

Thence South 00°02'46" West, 202.16 feet;

Thence North 89°57'14" West, 112.58 feet;

Thence South 00°02'46" West, 101.08 feet;

Thence North 89°57'14" West, 468.28 feet to the **POINT OF BEGINNING**.

The above described parcel contains a computed area of 1,179,573 sq. ft. (27.0793 acres) more or less and being subject to any easements, restrictions, rights-of-way of record or otherwise.

The description shown hereon is not to be used to violate any subdivision regulation of the state, county and/or municipality or any land division restrictions.

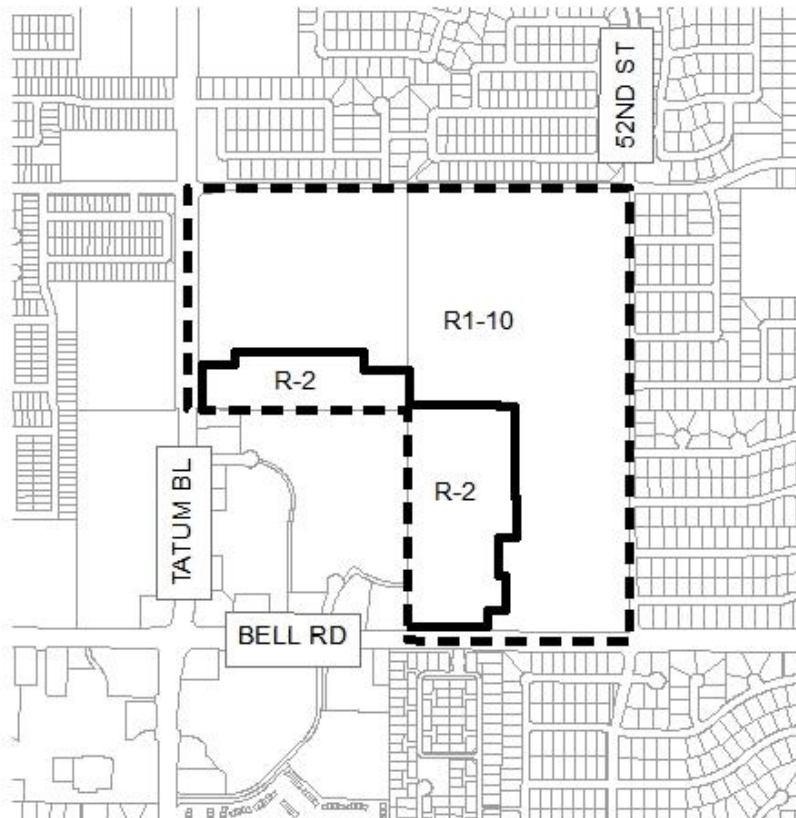
Prepared by: HILGARTWILSON, LLC
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ORDINANCE LOCATION MAP

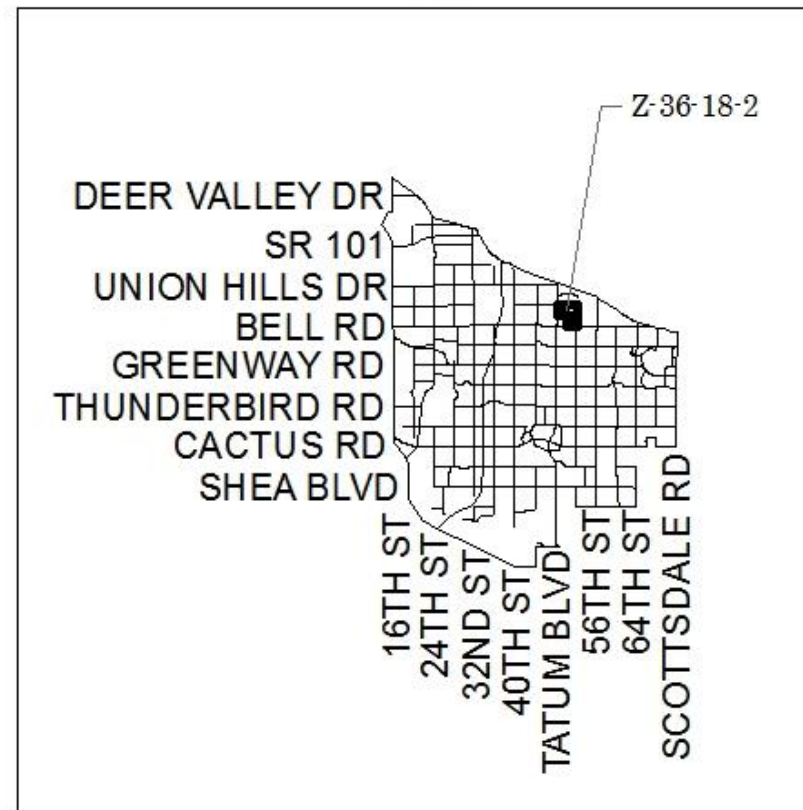
EXHIBIT B

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

Zoning Case Number: Z-36-18-2
Zoning Overlay: N/A
Planning Village: Paradise Valley



0 295 590 1,180 Feet
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NOT TO SCALE



Drawn Date: 10/9/2018