

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-91-17-1) FROM PSC (PLANNED SHOPPING CENTER) TO PSCOD (PLANNED SHOPPING CENTER OVERLAY DISTRICT).

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

SECTION 1. The zoning of a 2.78-acre property located approximately 320 feet east of the northeast corner of 51st Avenue and Bell Road in a portion of Section 33, Township 4 North, Range 2 East, as described more specifically in Exhibit "A", is hereby changed from PSC (Planned Shopping Center), to PSCOD (Planned Shopping Center Overlay 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. 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. A minimum landscape setback of 12 feet shall be required along the south property line, as approved by the Planning and Development Department.
2. A minimum landscape setback of 12 feet shall be required along the Lindner Drive frontage, as approved by the Planning and Development Department.
3. Drought tolerant, 2 -inch caliper shade or large canopy trees, exclusive of palms trees, planted 40 feet on center or in equivalent groupings shall be provided in the landscape setback area along Bell Road and Lindner Drive, as approved by the Planning and Development Department.
4. The developer shall construct or repair all streets within and adjacent to the development with paving, curb, gutter sidewalk, curb ramps, driveways, 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.
5. 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.
6. 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.

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 2nd day of May, 2018.

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)

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EXHIBIT A

LEGAL DESCRIPTION FOR Z-91-17-1

LOT 1. N.E.C. 51ST AVENUE AND BELL ROAD ACCORDING TO THE PLAT RECORDED IN BOOK 583 OF MAPS, PAGE 10M RECORDS OF MARICOPA COUNTY, ARIZONA BEING WITHIN A PORTION OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 4 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA

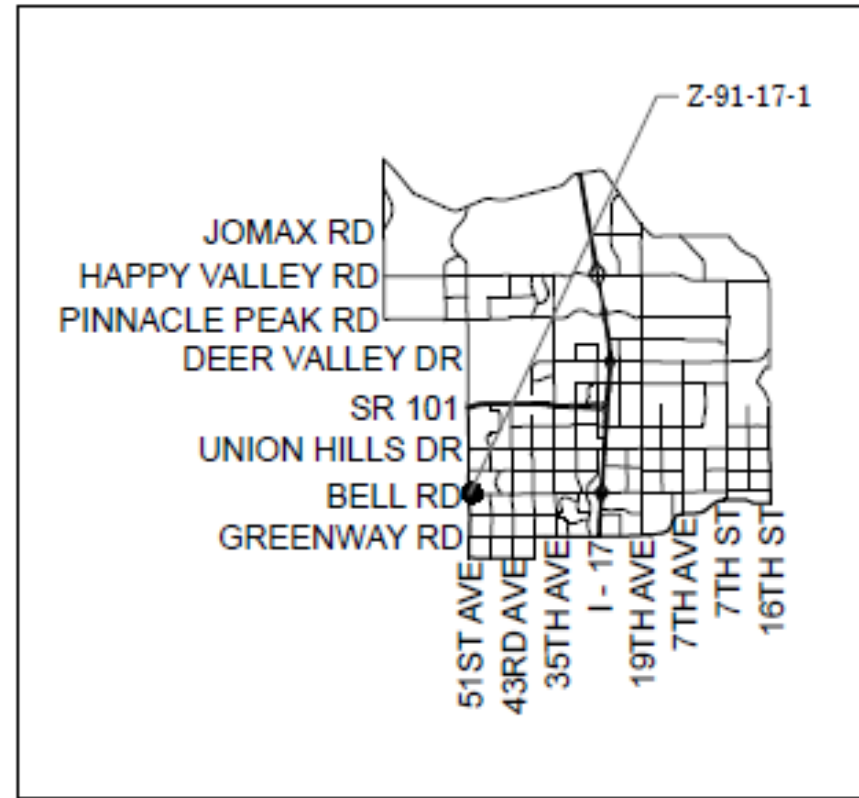
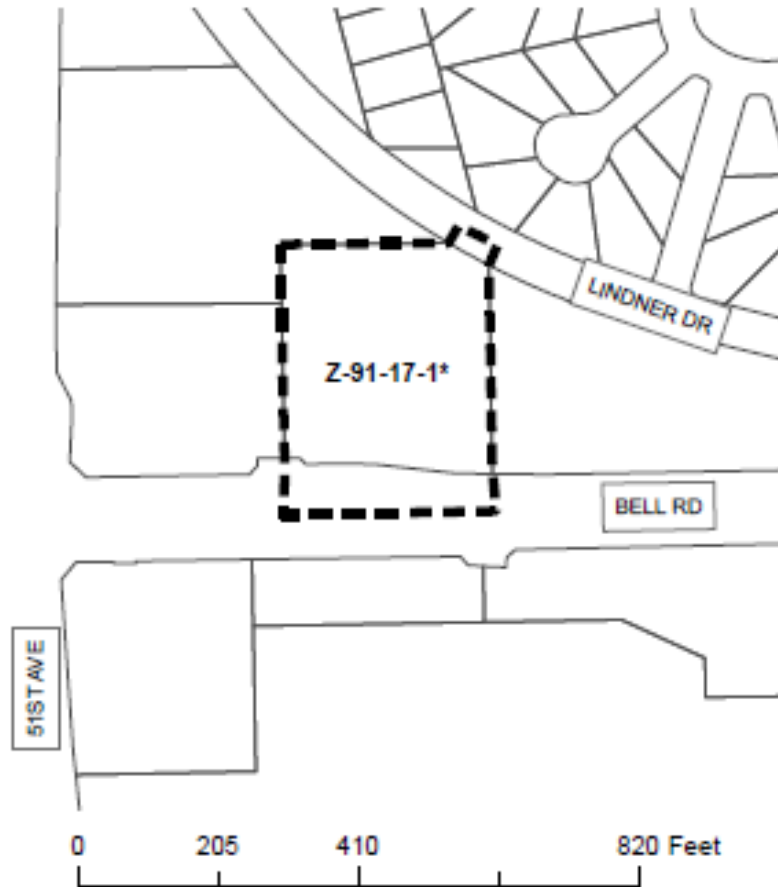
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ORDINANCE LOCATION MAP

EXHIBIT B

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

Zoning Case Number: Z-91-17-1
Zoning Overlay: N/A
Planning Village: Deer Valley



NOT TO SCALE



Drawn Date: 4/4/2018