

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-82-17-7) FROM C-2 SPVTABDO (INTERMEDIATE COMMERCIAL, SOUTH PHOENIX VILLAGE TARGET AREA B DESIGN OVERLAY) TO PUD SPVTABDO (PLANNED UNIT DEVELOPMENT, SOUTH PHOENIX VILLAGE TARGET AREA B DESIGN OVERLAY).

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

SECTION 1. The zoning of an approximately 2.56-acre property located at the southeast corner of Central Avenue and Sunland Avenue in a portion of Section 29, Township 1 North, Range 3 East, as described more specifically in Exhibit "A", is hereby changed from "C-2 SPVTABDO" (Intermediate Commercial, South Phoenix Village Target Area B Design Overlay) To "PUD SPVTABDO" (Planned Unit Development, South Phoenix Village Target Area B Design Overlay).

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. An updated Development Narrative for the Sunland Senior Living PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped December 29, 2017, as modified by the following stipulations:
 - a. Page 7: Add new Section C.4 as follows: "Archaeology: The site is identified as being in an archaeologically sensitive area. Data testing of the area may be necessary if no previous archaeological projects have been conducted in this area."
2. The property owner shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence, and operational characteristics of Phoenix Sky Harbor International Airport to future owners or tenants of the property.
3. The developer shall update all existing off-site street improvements (sidewalks, curb ramps and driveways) to current ADA guidelines, as approved by the Planning and Development Department.
4. The developer shall show a 33-foot by 33-foot visibility triangle at the public intersection at Central Avenue and Sunland Avenue and a 10-foot by 20-foot visibility triangle at each driveway per City of Phoenix Zoning Ordinance.
5. A 25-foot by 25-foot right-of-way triangle shall be dedicated at the southeast corner of Central Avenue and Sunland Avenue.
6. Right-of-way totaling 55 feet shall be dedicated for the east half of Central Avenue.
7. Right-of-way totaling 25 feet shall be dedicated for the south half of Sunland Avenue.
8. The developer provide paving for Sunland Avenue. Improvements shall include paving, curb, gutter, sidewalk, street lights and other necessary incidentals as required, as approved by the Street Transportation and Planning and Development Departments.

9. Prior to submittal of the site plan for a Development Preapplication review, the developer shall contact the Street Transportation Department at 602-256-3409, to determine the Sunland Avenue geometric alignment of the road connections.
10. The developer shall submit a traffic impact statement to the Street Transportation Department and the Planning and Development Department concurrent with the Development Preapplication Submittal. Review and approval of the traffic impact statement is required prior to Development Preliminary Site Plan Review. The developer shall be responsible for any dedications and required improvements as recommended by the approved Traffic Impact Statement, as approved by the Planning and Development and Street Transportation Departments.
11. The applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
12. The applicant shall conduct Phase II archaeological data recovery excavations if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary.
13. 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 March,
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)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-82-17-7

The North half of the North half of the Northwest quarter of the Southwest quarter of the Southeast quarter of Section 29, Township 1 North, Range 3 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;
EXCEPT that part of the North half of the North half of the Northwest quarter of the Southwest quarter of the Southeast quarter of said Section 29, lying Westerly of a line parallel with and 46 feet Easterly of the monument line of Central Avenue, and also that part described as follows:

BEGINNING at the intersection of the North line of said North half with the said 46 foot parallel line;

Thence Easterly along said North line 37 feet;

Thence Southwesterly to the intersection of the South line of the North line parallel with and 58 feet Easterly of said monument line;

Thence Westerly parallel with said North line 9 feet;

Thence Southwesterly-to a point on said 46 foot parallel line which is 28 feet Southerly of the point of beginning;

Thence Northerly the POINT OF BEGINNING; and

EXCEPT that part Quit Claimed to the City Phoenix in Docket 13033, page 101, described as follows:

BEGINNING at the intersection of the North line of the Northwest quarter of the Southwest quarter of the Southeast quarter of said Section 29 with the West line of the East 331 feet thereof;

Thence Easterly along said North line to the Northeast corner of said Northwest quarter of the Southwest quarter of the Southeast quarter;

Thence Southerly along the East line of said Northwest quarter of the Southwest quarter of the Southeast quarter to the South line of the North 40 feet thereof;

Thence Northwesterly to the intersection of the South line of the North 25 feet of said Northwest quarter of the Southwest quarter of the Southeast quarter with the West line of the East 200 feet thereof;

Thence Westerly along the South line of the North 25 feet of said Northwest quarter of the Southwest quarter of the Southeast quarter to the West line of the East 331 feet thereof;

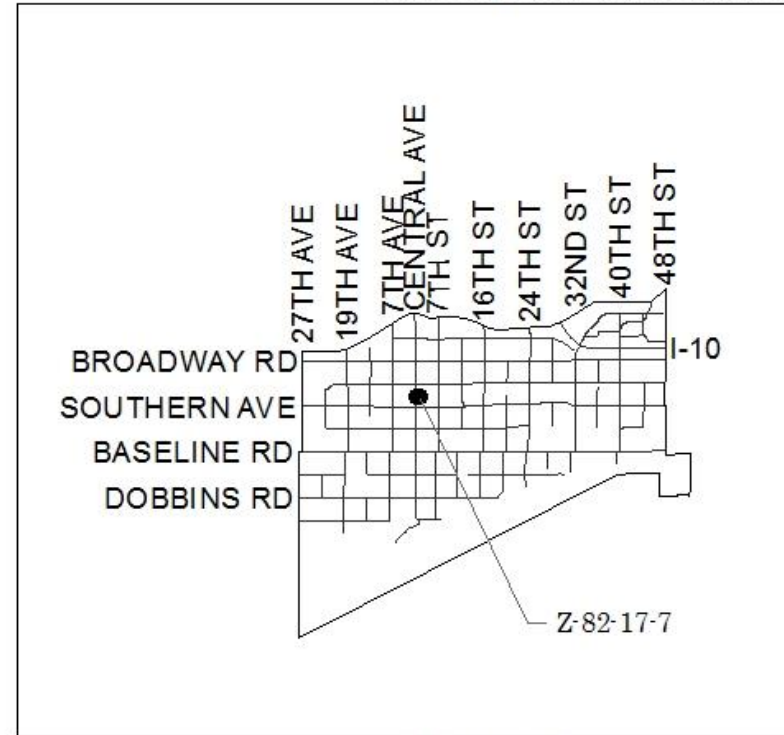
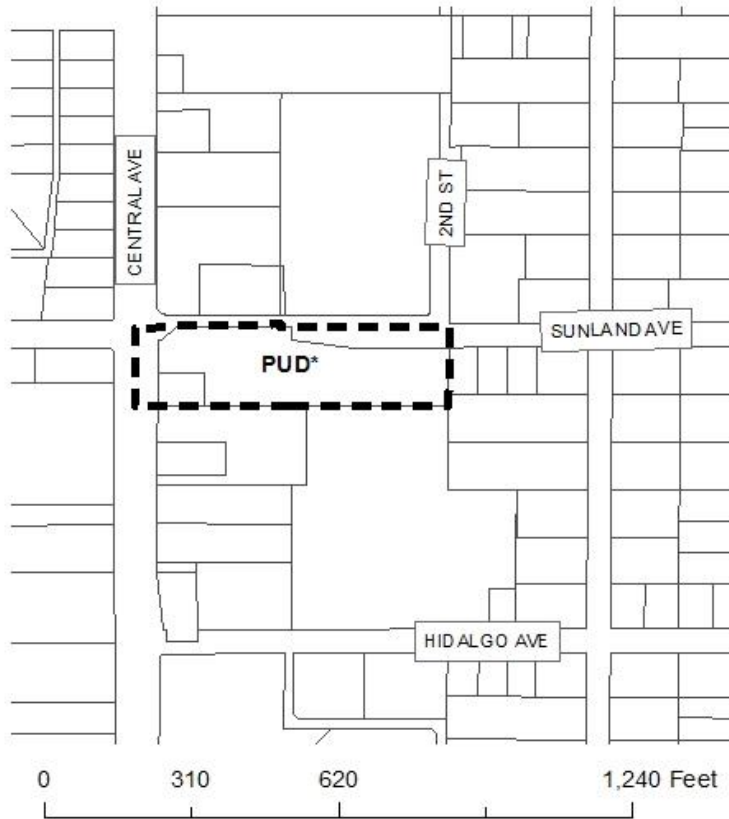
Thence to the POINT OF BEGINNING.

ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: - - - - -

Zoning Case Number: Z-82-17-7
Zoning Overlay: South Phoenix
Village and Target Area B Design
Planning Village: South Mountain



NOT TO SCALE



Drawn Date: 2/5/2018