

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-10-17-8) FROM RH BAOD (RESORT DISTRICT, BASELINE AREA OVERLAY DISTRICT) TO R-3 BAOD (MULTIFAMILY RESIDENCE DISTRICT, BASELINE OVERLAY DISTRICT DISTRICT).

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

SECTION 1. The zoning of an approximately 28.98-acre property located approximately 250 feet north and 580 feet east of the northeast corner of 7th Street and Mineral Road in a portion of Section 9, Township 1 South, Range 3 East, as described more specifically in Exhibit "A", is hereby changed from "RH BAOD" (Resort District, Baseline Area Overlay District) to "R-3 BAOD" (Multifamily Residence District, Baseline Area 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. 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 not exceed 290 lots.
2. Building elevations shall complement the architecture of the developments to the north, as approved by the Planning and Development Department.
3. 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, as approved by the Planning and Development Department.
4. If units are within 50 feet of the South Mountain Park and Preserve edge, development shall be designed so that a minimum of 50% of residential units adjacent to park and preserve open space shall face on to, or provide balconies or patios adjacent to the South Mountain Park and Preserve, as approved by the Planning and Development Department.
5. No surface parking shall be located within 50 feet of the South Mountain Park and Preserve or private undisturbed open space.
6. A minimum of 11% of the gross project area shall be retained as open space, including washes and hillside areas, as approved by the Planning and Development Department.

PARKS AND RECREATION

7. No pedestrian connection to the South Mountain Park and Preserve shall be constructed unless first approved by the Parks and Recreation Department.
8. The developer shall dedicate a one foot vehicular non-access easement (VNAE) along the shared property line with the South Mountain Park and Preserve.
9. Construction activities shall not encroach on the South Mountain Park and Preserve.

LANDSCAPING, FENCING, & WALLS

10. Landscape setbacks shall be planted only with landscape materials listed in the Approved Plant Species List for Sonoran Preserve Edge Treatment Guidelines in the Phoenix Zoning Ordinance (Appendix A), as approved by the Planning and Development Department.
11. Primary entry features and open spaces shall be planted only with landscape

materials listed in the Baseline Area Master Plan Plant List or the Approved Plant Species List for Sonoran Preserve Edge Treatment Guidelines in the Phoenix Zoning Ordinance (Appendix A), as approved by the Planning and Development Department.

12. Walls adjacent to the South Mountain Park and Preserve shall contain 100% view fencing materials such as wrought-iron, split rail, or farm fencing, as approved by the Planning and Development Department.
13. Walls adjacent to open space areas and perimeter landscape setbacks shall contain a minimum of 50% view fencing materials such as wrought-iron, split rail, or farm fencing, as approved by the Planning and Development Department.

ARCHAEOLOGY

14. The applicant shall 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. Archaeological monitoring and/or testing may be necessary based upon the results of the survey. A qualified archaeologist must make this determination in consultation with the City Archaeologist.

STREETS

15. 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.
16. The applicant shall submit a Traffic Impact Study that evaluates whether the development provides sufficient access to support the proposed density to the Street Transportation Department. The study must be approved 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 and Street Transportation Departments.

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 6th day of September, 2017.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

REVIEWED BY:

City Manager

Exhibits:

A – Legal Description (2 Pages)

B – Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR Z-10-17-8

All of Lots 2, 3 and 4 of the THUNDERBIRD GOLF COURSE AND RESORT, according to Book 574, Page 3, records of Maricopa County, Arizona, located in a portion of the Northwest Quarter of Section 9, Township 1 South, Range 3 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at the Center of said Section 9, marked by a City of Phoenix aluminum cap, flush, from which the North quarter corner of said Section 9, marked by a City of Phoenix brass cap in handhole, bears North $00^{\circ} 00' 58''$ East, a distance of 2637.53 feet;

Thence North $00^{\circ} 00' 58''$ East, along the East line of said Northwest quarter, a distance of 150.10 feet to the most Southerly corner of said Lot 3, said point being the POINT OF BEGINNING;

Thence North $79^{\circ} 11' 09''$ West, along the Southerly line of said Lot 3, a distance of 271.85 feet;

Thence North $89^{\circ} 36' 39''$ West, continuing along said Southerly line, 239.95 feet;

Thence North $66^{\circ} 31' 47''$ West, continuing along said Southerly line, 163.38 feet;

Thence North $69^{\circ} 24' 54''$ West, continuing along said Southerly line, 338.15 feet;

Thence North $89^{\circ} 38' 21''$ West, continuing along said Southerly line, 110.03 feet;

Thence South $73^{\circ} 22' 00''$ West, continuing along said Southerly line, 240.23 feet;

Thence North $00^{\circ} 00' 38''$ East, continuing along said Southerly line, 26.27 feet;

Thence North $36^{\circ} 10' 40''$ West, continuing along said Southerly line, 366.99 feet to the Southeast corner of said Lot 2;

Thence South $53^{\circ} 49' 20''$ West, along the Southerly line of said Lot 2, a distance of 597.81 feet to the Southwest corner of said Lot 2;

Thence North $36^{\circ} 10' 40''$ West, along the Westerly line of said Lot 2, a distance of 31.11 feet;

Thence North $19^{\circ} 48' 51''$ West, continuing along said Westerly line, 122.44 feet to the beginning of a tangent curve, concave Easterly and having a radius of 230.00 feet;

Thence Northwesterly, along said Westerly line and the arc of said curve, through a central angle of $16^{\circ} 41' 16''$ a distance of 66.99 feet;

Thence South $86^{\circ} 52' 24''$ West, along said Westerly line, 80.00 feet to a point on a non-tangent curve, the radius of which bears North $86^{\circ} 52' 24''$ East, a distance of 310.00 feet;

Thence Northeasterly, along the Northerly line of said Lot 2, and the arc of said curve, through a central angle of $102^{\circ} 53' 39''$ a distance of 556.71 feet to a point of tangency;

Thence South $80^{\circ} 13' 56''$ East, along said Northerly line, 241.47 feet to the Northeast corner of said Lot 2;

Thence North $54^{\circ} 14' 02''$ East, along the Northwesterly line of said Lots 3 and 4, a distance of 739.18 feet;

Thence North $70^{\circ} 21' 46''$ East, along said Northwesterly line, 647.64 feet;

Thence North $84^{\circ} 58' 09''$ East, along said Northwesterly line, 209.60 feet;

Thence South $89^{\circ} 33' 19''$ East, along the Northerly line of said Lot 4, a distance of 147.51 feet to the Northeast corner of said Lot 4;

Thence South $00^{\circ} 00' 58''$ West, along the East line of said Lot 4, a distance of 120.00 feet to the Southeast corner of said Lot 4;

Thence North $89^{\circ} 33' 19''$ West, along the Southerly line of said Lot 4, a distance of 357.05 feet;

Thence South $00^{\circ} 00' 41''$ East, along the East line of said Lots 4 and 3, a distance of 380.17 feet;

Thence South $21^{\circ} 50' 39''$ West, along the Easterly line of said Lot 3, a distance of 107.42 feet;

Thence North $89^{\circ} 36' 03''$ West, along said Easterly line, 40.91 feet;

Thence South $00^{\circ} 13' 53''$ East, along said Easterly line, 200.04 feet;

Thence South $32^{\circ} 34' 18''$ East, along said Easterly line, 259.92 feet;

Thence South $50^{\circ} 47' 43''$ East, along said Easterly line, 382.99 feet;

Thence South $00^{\circ} 00' 58''$ West, along said Easterly line, 29.87 feet to the POINT OF BEGINNING.

Said parcel contains 1,234,495 square feet or 28.3401 acres more or less.

ORDINANCE LOCATION MAP

EXHIBIT B

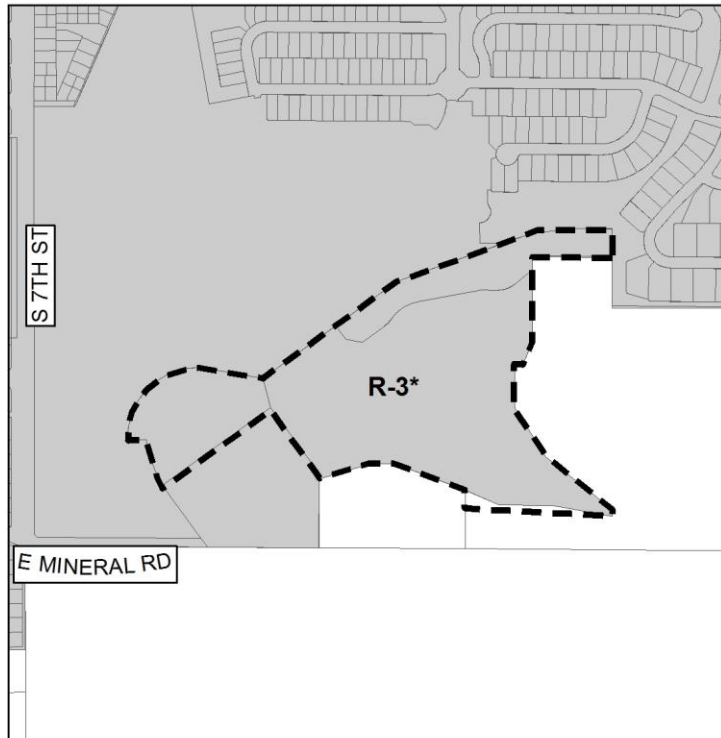
ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: ■ ■ ■ ■ ■

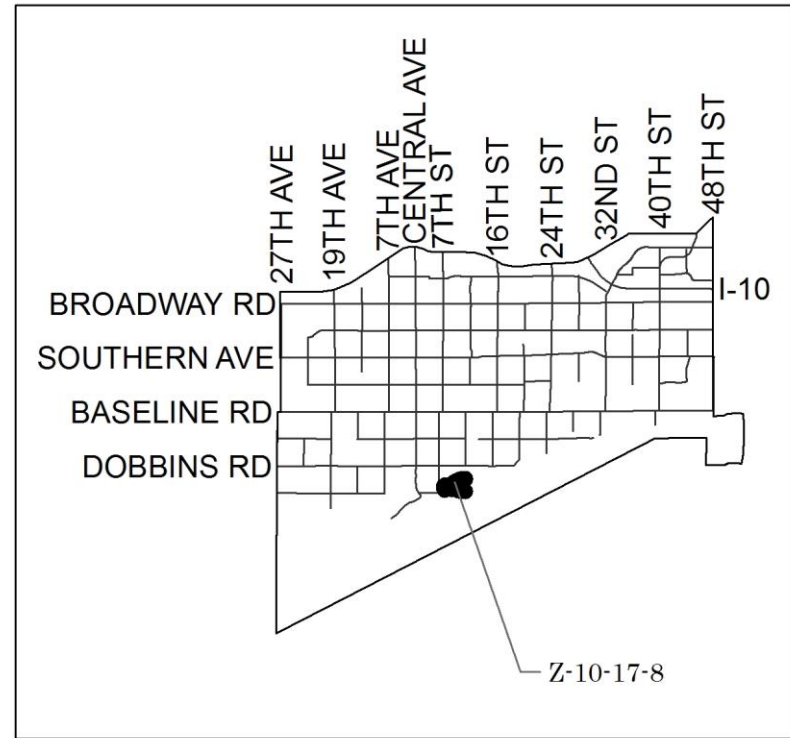
Zoning Case Number: Z-10-17-8

Zoning Overlay: Baseline Area Plan and Overlay District

Planning Village: South Mountain



0 625 1,250 2,500 Feet



NOT TO SCALE



Drawn Date: 8/10/2017