

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-88-16-3 PREVIOUSLY APPROVED BY
ORDINANCE G-6305.

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

SECTION 1. The zoning stipulations applicable located at the southeast corner of 37th Street and Shea Boulevard in a portion of Section 25, Township 3 North, Range 3 East, as described more specifically in Attachment "A", are hereby modified to read as set forth below.

STIPULATIONS:

1. A minimum 20-foot landscape setback along Shea Boulevard and 37th Street, shall be planted with a minimum 50% 2-inch caliper trees, minimum 25% 3-inch caliper trees, and minimum 25% 4-inch caliper trees to be placed 20-feet on center or in equivalent groupings, as approved by the Planning and Development Department. When possible, the developer should use existing trees and landscaping to meet the landscaping requirements.
2. An average 12-foot landscape setback, minimum 10-foot landscape setback, with minimum 2-inch caliper trees shall be placed 20 feet on center or in equivalent groupings along the south property line, as approved by the Planning and Development Department.
3. A minimum 10-foot landscape setback with minimum 2-inch caliper trees shall be placed 20 feet on center or in equivalent groupings along the east property line, as approved by the Planning and Development Department.

4. A minimum building setback of 85 feet shall be required along the south property line, as approved by the Planning and Development Department.
5. The maximum building height shall be 22 feet.
6. ~~No individual building shall exceed a maximum of 6,000 square feet.~~
76. Lot coverage shall not exceed 23%.
87. The development shall provide a minimum of 4 bicycle parking spaces that are located within 50 feet from the building entry points, as approved by the Planning and Development Department.
98. 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 City. All improvements shall comply with all ADA accessibility standards.
409. The property owner shall update all existing off-site street improvements (sidewalks, curb ramps, and driveways) to current ADA guidelines.
4410. The applicant shall work with the neighbors and the Street Transportation Department regarding traffic calming solutions on Mountain View Road, 36th Street and 37th Street.
4211. There shall be no public vehicular access to 37th Street, except a crash gate for emergency vehicle access only may be permissible, as approved by the Planning and Development Department.
- 12 THE DEVELOPER SHALL DEDICATE A 15-FOOT BY 15-FOOT RIGHT-OF-WAY TRIANGLE AT THE SOUTHEAST CORNER OF 37TH STREET AND SHEA BOULEVARD.

SECTION 2. Due to the site's specific physical conditions and the use district granted pursuant to Ordinance G-6305, this portion of the rezoning is now subject to the stipulations approved pursuant to Ordinance G-6305 and as modified in Section 1 of this Ordinance. Any violation of the stipulation 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 9th day of January, 2019.

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 PHO-1-18-- Z-88-16-3

THE NORTH 188.00' OF THE WEST $\frac{1}{2}$ OF LOT 2 OF PARADISE FOOTHILLS AS RECORDED IN BOOK 48 OF MAPS PAGE 41, RECORDS OR MARICOPA COUNTY, ARIZONA. SAID PARCEL BEING A PART OF THE NORTHEAST $\frac{1}{4}$ SECTION 25, TOWNSHIP 3 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN. SAID PARCEL CONTAINS 1.3 GROSS ACRES MORE OR LESS.

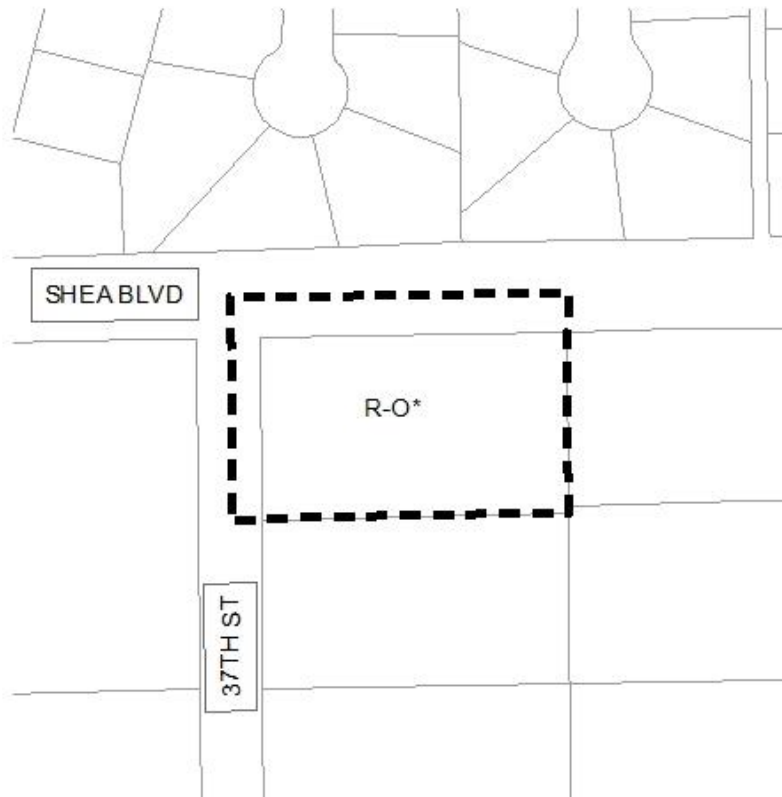
DRAFT

ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: ■ ■ ■ ■ ■

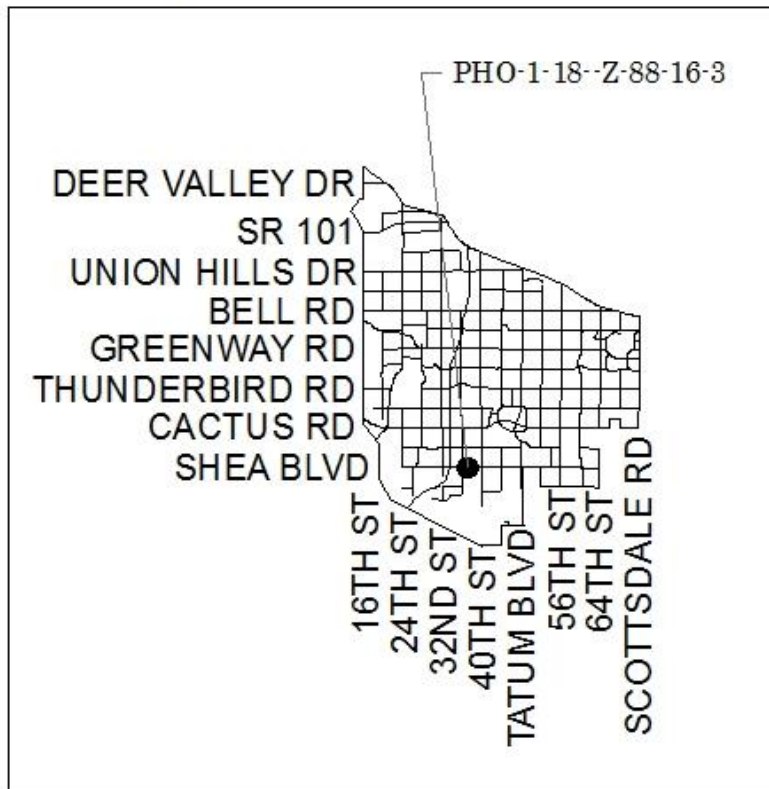


0 50 100 200 Feet

Zoning Case Number: PHO-1-18-Z-88-16-3

Zoning Overlay: N/A

Planning Village: Paradise Valley



NOT TO SCALE



Drawn Date: 12/14/2018