

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-16-18-5) FROM PUD PCD (PLANNED UNIT DEVELOPMENT, PLANNED COMMUNITY DISTRICT) TO R1-6 (SINGLE-FAMILY RESIDENCE DISTRICT).

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

SECTION 1. The zoning of an approximately 131.27-acre property located at the northeast corner of SR-101 and Indian School Road in a portion of Section 21, Township 2 North, Range 1 East, as described more specifically in Exhibit "A", is hereby changed from "PUD PCD" (Planned Unit Development, Planned Community District), to "R1-6" (Single-Family 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 project shall not exceed 524 lots.
2. A minimum of 20 percent of the gross site area shall be retained as open space, as approved by the Planning and Development Department.
3. An average 100-foot-wide landscape setback shall be provided and maintained along the west boundary of the development as approved by the Planning and Development Department. Landscaping within the setback shall include a double row of trees with a minimum mixture of 1-½ inch (50%) and 1-inch (50%) caliper trees planted at a minimum of 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.
4. A landscaped entry and monument sign(s) shall be provided at each entryway into the development from 91st Avenue and Indian School Road. The landscaped entries shall be a minimum of 250 square feet and be planted and maintained with a variety of at least three different plant materials, as approved by the Planning and Development Department.
5. The development's circulation elements (sidewalks, trails, and traffic mitigation infrastructure) shall be in general conformance with the Circulation Plan date stamped June 4, 2018, as approved or modified by the Planning and Development Department with specific regard to the, sizes, quantities and locations of the elements and the inclusion of the following provisions:
 - a. Detached sidewalks shall include a minimum 5-foot-wide landscaped strip located between the sidewalk and back of curb and minimum 2-inch caliper shade trees planted a minimum of 20 feet on center or in equivalent groupings along both sides of the sidewalk.
 - b. Each “detached sidewalk choker traffic calming” element shall be a minimum length of 60 feet and the Planning and Development Department shall have the authority to reduce the minimum length to accommodate other site considerations upon request.

PUBLIC TRANSIT

6. The right-of-way shall be dedicated and bus stop pads constructed at the following locations, as approved by the Planning and Development Department:
 - Westbound Indian School Road
 - Southbound 91st Avenue south of Campbell RoadThe bus stop pads shall be built per City of Phoenix Standard Detail P1262 with a depth of at least 10 feet and placed between 60 and 110 feet from the

intersections. Walk paths and pedestrian entrances to the community shall be provided near each bus stop.

STREETS

7. Right-of-way totaling 35 feet shall be dedicated for the west half of 91st Avenue, as approved by Planning and Development Department.
8. 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.
9. The applicant shall complete and submit the Developer Project Information Form for the MAG Transportation Improvement Program to Mr. Alan Hilty, (602)262-6193, with the Street Transportation Department. This form is a requirement of the EPA to meet clean air quality requirements.
10. The applicant shall provide a signal warrant analysis for the intersection of 91st Avenue and Campbell Avenue, as approved by the Street Transportation Department and the Planning and Development Department.
11. The Indian School Road access point shall be located to align with the 93rd Avenue and Indian School Road major access point into the Algodon Center, as approved with the Planning and Development Department.

AVIATION

12. The property owner shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence and operational characteristics of the City of Glendale Airport 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.

OTHER

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.
14. 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 5th day of July, 2018.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

REVIEWED BY:

City Manager

Exhibits:

A – Legal Description (1 Pages)

B – Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR Z-16-18-5

That part of Section 21, Township 2 North, Range 1 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

From the Southeast corner of said Section 21, measure; thence South 88 degrees 18 minutes 16 seconds West along the South line of the Southeast quarter of said Section 21, 1325.93 feet to the Southwest corner of the Southeast quarter of the Southeast quarter of said Section 21 and the Point of Beginning; thence continuing South 88 degrees 18 minutes 16 seconds West, 844.14 feet; thence North 01 degrees 41 minutes 44 seconds West, 360.00 feet; thence South 88 degrees 18 minutes 16 seconds West, 206.57 feet; thence South 69 degrees 54 minutes 58 seconds West, 25.00 feet to a point on a line that is 25.00 feet Southwesterly and parallel with the Easterly right-of-way line of the Agua Fria Freeway, State Route 101 ;

thence continuing along said parallel line as follows:

thence North 20 degrees 05 minutes 02 seconds West, 514.58 feet;

thence North 26 degrees 21 minutes 15 seconds West, 530.81 feet;

thence North 29 degrees 24 minutes 26 seconds West, 501.81 feet;

thence North 25 degrees 24 minutes 23 seconds West, 942.97 feet;

thence leaving said parallel line, North 64 degrees 35 minutes 37 seconds East, 25 .00 feet to said Easterly right of way line of State Route 101 and a point on the

East-West mid-section line from which the West quarter corner of said Section 21 bears South 88 degrees 27 minutes 01 seconds West, 1849.23 feet; Thence leaving said

Easterly right-of-way line North 88 degrees 27 minutes 01 seconds East along said East-West mid-section line, 809.12 feet to the center of said Section 21;

thence North 88 degrees 27 minutes 00 seconds East along said East-West mid-section line, 2658.76 feet to the East quarter corner of said Section 21; thence

South 00 degrees 21 minutes 06 seconds West along the East line of the Southeast quarter of said Section 21 , 1316.90 feet to the Northeast corner of the Southeast quarter of the Southeast quarter of said Section 21; thence South 88 degrees 22 minutes 39 seconds West, 1327.65 feet to the Northwest corner of said Southeast quarter of the Southeast quarter of Section 21; thence South 00 degrees 16 minutes 27 seconds West along the West line of said Southeast quarter of the Southeast quarter of Section 21, 1318.53 to the Point of Beginning.

ORDINANCE LOCATION MAP

EXHIBIT B

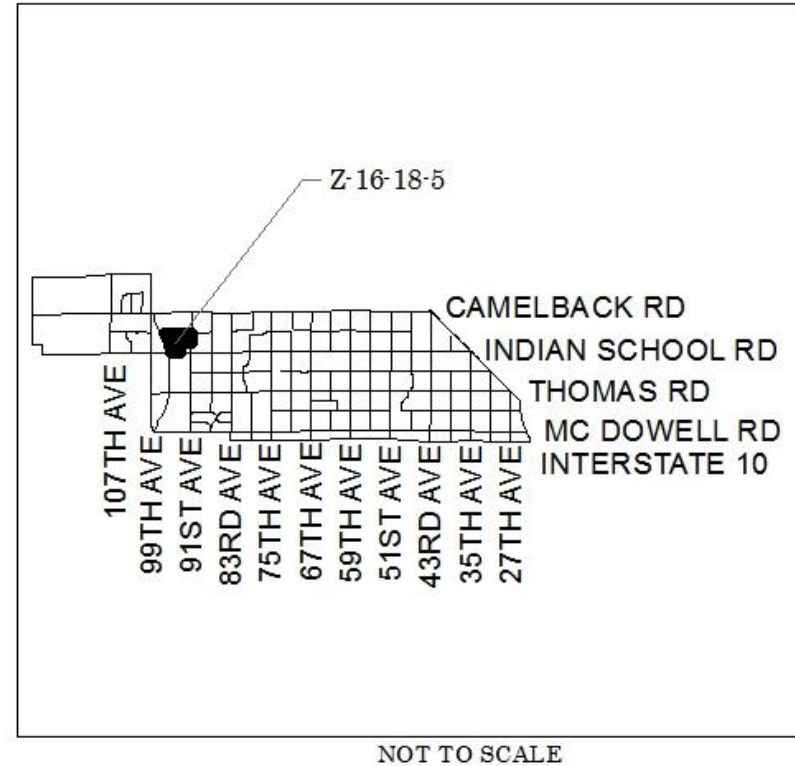
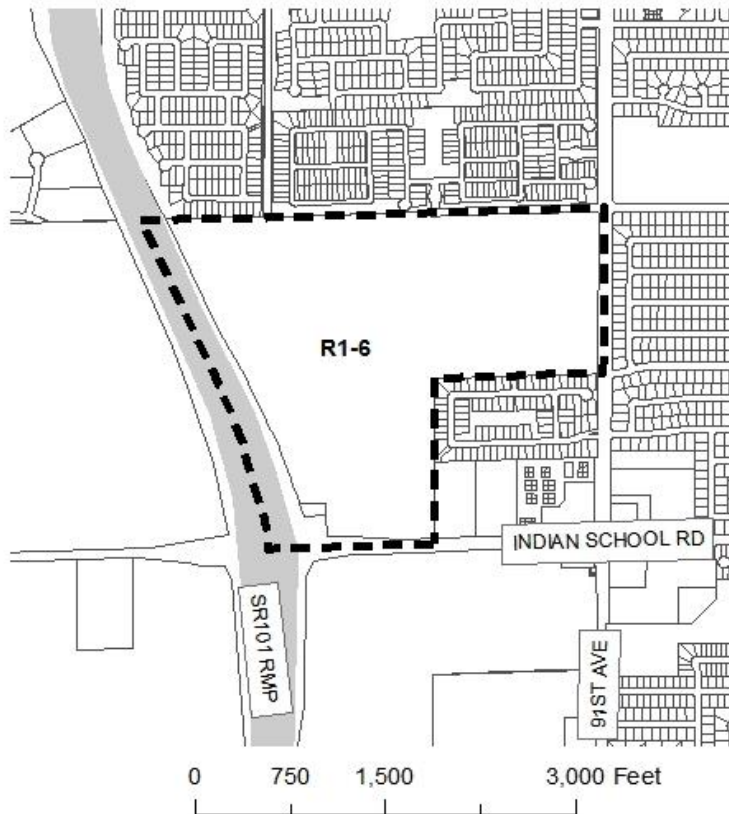
ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: - - - - -

Zoning Case Number: Z-16-18-5

Zoning Overlay: N/A

Planning Village: Maryvale



Drawn Date: 6/7/2018