

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-33-18-2 PREVIOUSLY APPROVED BY
ORDINANCE G-6511.

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

SECTION 1. The zoning stipulations applicable to the property located at
the southwest corner of North Valley Parkway and Dove Valley Road in a portion of
Section 14, Township 5 North, Range 2 East, as described more specifically in
Attachment "A", are hereby modified to read as set forth below.

STIPULATIONS:

1. THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE
SITE PLAN DATE STAMPED APRIL 4, 2019 AND ELEVATIONS DATE
STAMPED APRIL 19, 2019, AS MODIFIED BY THE FOLLOWING
STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT
DEPARTMENT.
2. All sidewalks shall be detached with a minimum five-foot wide landscape strip
~~4.~~ located between the sidewalk and back of curb, as approved by the Planning
and Development Department.
3. A 10-foot wide multi-use trail shall be constructed within a 30-foot easement
~~2.~~ per the detail in accordance with the MAG supplemental detail 429 along the
south side of Dove Valley Road, as approved by the Planning and
Development Department.
4. The maximum building height shall be limited to 56 feet.
~~3.~~

- ~~4. Conceptual site plan and elevations shall be reviewed and approved by the Planning Hearing Officer through the public hearing process prior to preliminary site plan approval for conceptual review of the applicable provisions of the goals and policies of the North Gateway Village Core Plan.~~
5. A minimum of one inverted-U bicycle rack (2 spaces) for guests shall be provided on site, located near a building entrance, and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
6. VEHICULAR ACCESS TO DOVE VALLEY ROAD IS PROHIBITED, UNLESS OTHERWISE APPROVED BY THE STREET TRANSPORTATION DEPARTMENT.
7. MEDIAN OPENINGS IN NORTH VALLEY PARKWAY ARE PROHIBITED, UNLESS OTHERWISE APPROVED BY THE STREET TRANSPORTATION 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.
- ~~6.~~ 9. 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.
- ~~7.~~ 10. 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 2. Due to the site's specific physical conditions and the use district granted pursuant to Ordinance G-6511, this portion of the rezoning is now subject to the stipulations approved pursuant to Ordinance G-6511 and as modified in Section 1 of this Ordinance. Any violation of the stipulations 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 19th day of June, 2019.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

REVIEWED BY:

City Manager

Attachments:

A - Legal Description (2 Pages)

B - Ordinance Location Map (1 Page)

ATTACHMENT A

LEGAL DESCRIPTION FOR PHO-1-19--Z-33-18-2

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MARICOPA, STATE OF ARIZONA, AND IS DESCRIBED AS FOLLOWS:

THE EAST HALF OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 5 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT THE FOLLOWING DESCRIBED PROPERTY:

THE PORTION OF THE EAST HALF OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 5 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 14;

THENCE SOUTH 00 DEGREES 21 MINUTES 42 SECONDS EAST, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 456.50 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF PROPOSED NORTH VALLEY PARKWAY, BEING A POINT ON A NON-TANGENT CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 1502.39 FEET, THE CENTER OF WHICH BEARS NORTH 72 DEGREES 04 MINUTES 45 SECONDS EAST;

THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID RIGHT OF WAY LINE THROUGH A CENTRAL ANGLE OF 05 DEGREES 46 MINUTES 18 SECONDS AN ARC LENGTH OF 151.34 FEET TO A POINT OF NON-TANGENCY;

THENCE NORTH 22 DEGREES 06 MINUTES 59 SECONDS WEST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 42.82 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 1510.97 FEET, THE CENTER OF WHICH BEARS NORTH 79 DEEGREES 27 MINUTES 05 SECONDS EAST;

THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID RIGHT OF WAY LINE THROUGH A CENTRAL ANGLE OF 01 DEGREES 08 MINUTES 44 SECONDS AN ARC LENGTH OF 30.21 FEET TO A POINT OF NON-TANGENCY;

THENCE NORTH 80 DEGREES 35 MINUTES 49 SECONDS EAST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 5.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 1505.97 FEET, THE CENTER OF WHICH BEARS NORTH 80 DEEGREES 35 MINUTES 49 SECONDS EAST;

THENCE NORTHERLY ALONG SAID CURVE AND SAID RIGHT OF WAY LINE THROUGH A CENTRAL ANGLE OF 05 DEGREES 04 MINUTES 49 SECONDS AN ARC LENGTH OF 133.53 FEET TO A POINT OF NON-TANGENCY;

THENCE NORTH 74 DEGREES 15 MINUTES 25 SECONDS WEST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 99.48 FEET TO A POINT ON THE WEST LINE OF SAID EAST HALF OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER;

THENCE NORTH 00 DEGREES 21 MINUTES 44 SECONDS WEST, ALONG SAID WEST LINE, A DISTANCE OF 78.99 FEET TO THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 14;

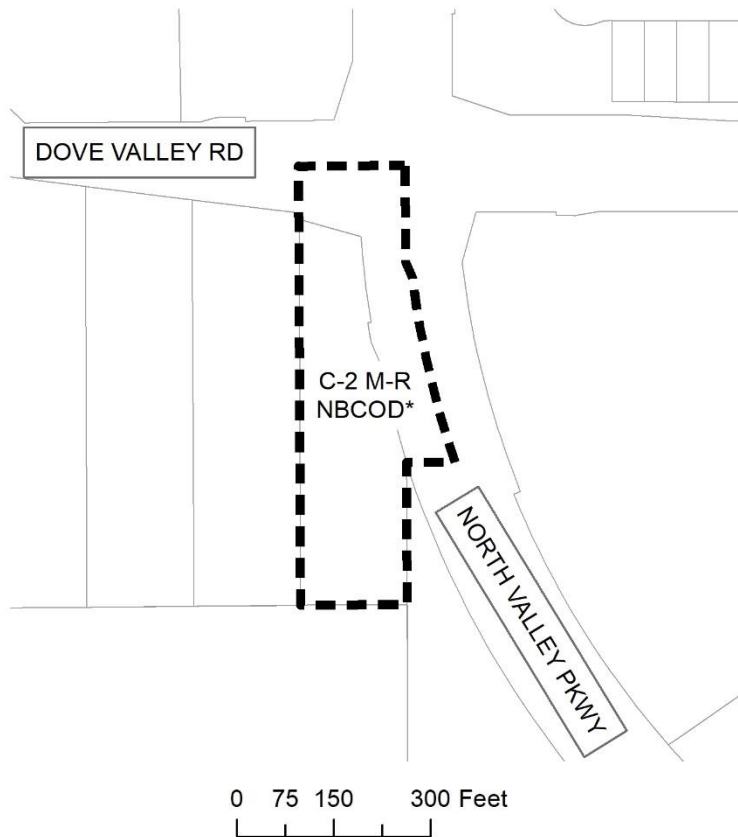
THENCE NORTH 85 DEGREES 25 MINUTES 41 SECONDS EAST, ALONG SAID NORTH LINE, A DISTANCE OF 165.00 FEET TO THE POINT OF BEGINNING.

ORDINANCE LOCATION MAP

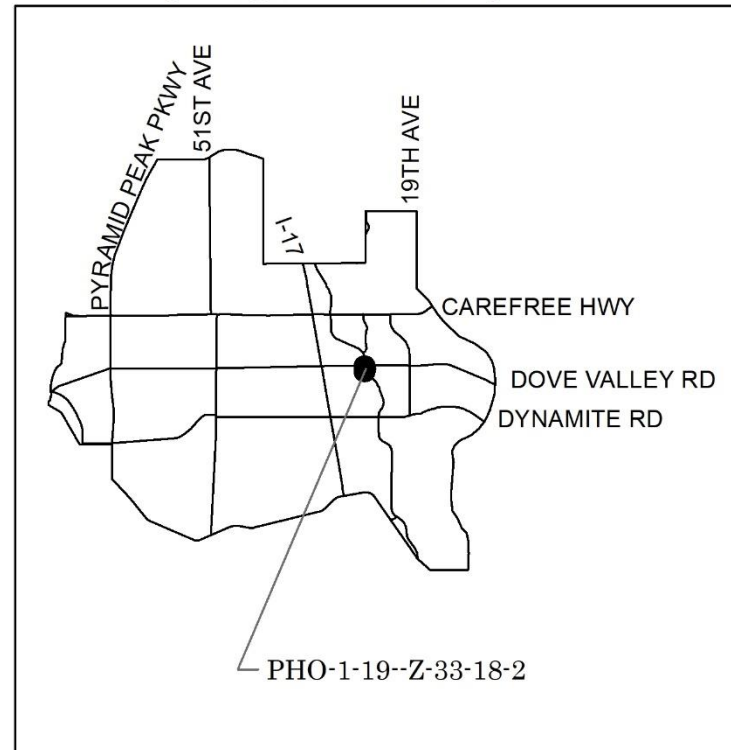
EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: ■ ■ ■ ■ ■



Zoning Case Number: PHO-1-19--Z-33-18-2
Zoning Overlay: North Black Canyon Corridor Plan
and Overlay District
Planning Village: North Gateway



NOT TO SCALE



Drawn Date: 5/17/2019