

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-36-08-6 PREVIOUSLY APPROVED BY
ORDINANCE G-5209.

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

SECTION 1. The zoning stipulations applicable located at the northeast corner of Loop 202 and Washington Street in a portion of Section 8, Township 1 North, Range 4 East, as described more specifically in Attachment "A", are hereby modified to read as set forth below.

STIPULATIONS:

1. ~~That~~ The development shall be in general conformance to the site plan and elevations date stamped March 28, 2008 as approved by the PLANNING AND Development Services Department, with specific regard to:
 - a. Horizontal banding/trim shown on windows, balconies and parapets
 - b. Variety in design of carriage unit garage doors
 - c. Landscaping shown along garage fronts
2. ~~That~~ a minimum 32-inch caliper trees shall be planted along the east, west, AND north, ~~and south~~ property lines, as approved by the PLANNING AND Development Services Department. A MINIMUM OF 3-INCH CALIPER TREES SHALL BE PLANTED ALONG THE SOUTH PROPERTY LINE ADJACENT TO WASHINGTON STREET, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
3. ~~That~~ The western property line perimeter fence shall be a view fence, as approved by the PLANNING AND Development Services Department.

4. ~~That~~ Landscaping installed on the Van Buren street frontage shall complement the palette of the adjacent Arizona Department of Transportation landscape, as approved or modified by the PLANNING AND Development ~~Services~~ Department.
5. ~~That~~ Landscaping installed on the Washington Street frontage shall include shade trees, the placement of which is designed to provide shade to the sidewalk, as approved or modified by the PLANNING AND Development ~~Services~~ Department.
6. ~~That~~ The bases of the billboards on site shall be wrapped with a decorative facing that complements the color and materials palette of the residential development, as approved or modified by the PLANNING AND Development ~~Services~~ Department.
7. ~~That~~ The developer shall construct all streets adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping, and other incidentals as per plans approved by the PLANNING AND Development ~~Services~~ Department. All improvements shall comply with all ADA accessibility standards.
8. That prior to final site plan approval, the property owner shall record documents that disclose to occupants/purchasers of property within the development the existence and operational characteristics of the Phoenix Sky Harbor International Airport. The form and content of such documents shall be reviewed and approved by the City Attorney.
9. IF ANY ARCHAEOLOGICAL MATERIALS ARE ENCOUNTERED DURING CONSTRUCTION, ALL GROUND-DISTURBING ACTIVITIES MUST CEASE WITHIN 10 METERS OF THE DISCOVERY AND THE CITY OF PHOENIX ARCHAEOLOGY OFFICE MUST BE NOTIFIED IMMEDIATELY AND ALLOWED TIME TO PROPERLY ASSESS THE MATERIALS.
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 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-5209, this portion of the rezoning is now subject to the stipulations approved pursuant to Ordinance G-5209 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 23rd day of January , 2019.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

REVIEWED BY:

City Manager

Attachments:

A - Legal Description (1 Page)

B - Ordinance Location Map (1 Page)

ATTACHMENT A

LEGAL DESCRIPTION FOR PHO-1-18--Z-36-08-6

Parcel No. 1:

Parcel A

That portion of the Northwest quarter of the Northeast quarter of Section 8, Township 1 North, Range 4 East of the Gila and Salt River Base and Meridian, County of Maricopa, State of Arizona, being more particularly described as follows:

Commencing at the North quarter corner of said Section 8;

Thence South 89 degrees 37 minutes 36 seconds East, 514.05 feet along the North line of said Section 8;

Thence departing said North line South 00 degrees 22 minutes 24 seconds West, 190.20 feet to the Point of Beginning;

Thence North 56 degrees 35 minutes 08 seconds East, 119.65 feet;

Thence South 00 degrees 22 minutes 24 seconds West, a distance of 141.54 feet;

Thence South 89 degrees 37 minutes 36 seconds East, 21.06 feet;

Thence South 00 degrees 03 minutes 19 seconds West, 502.49 feet;

Thence North 89 degrees 37 minutes 36 seconds West, 118.76 feet;

Thence North 00 degrees 10 minutes 39 seconds West, 327.50 feet;

Thence North 00 degrees 03 minutes 19 seconds East, 250.00 feet to the point of Beginning.

Said Parcel A contains 70,875 square feet or 1.6274 acres, more or less.

Parcel B

That portion of the Northwest quarter of the Northeast quarter of Section 8, Township 1 North, Range 4 East of the Gila and Salt River base and Meridian, County of Maricopa, State of Arizona, being more particularly described as follows:

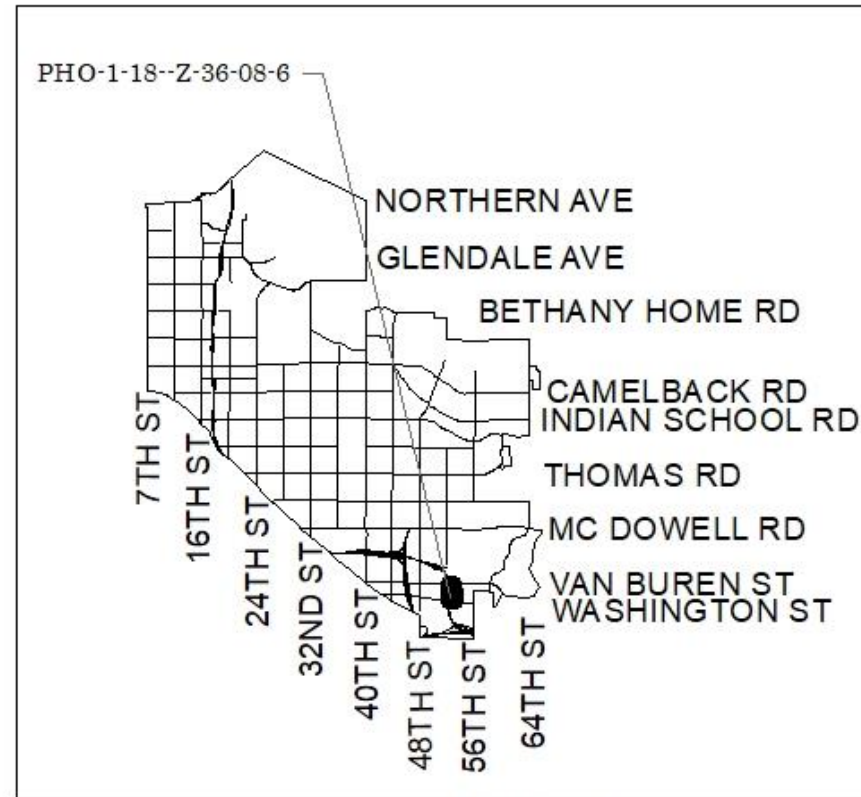
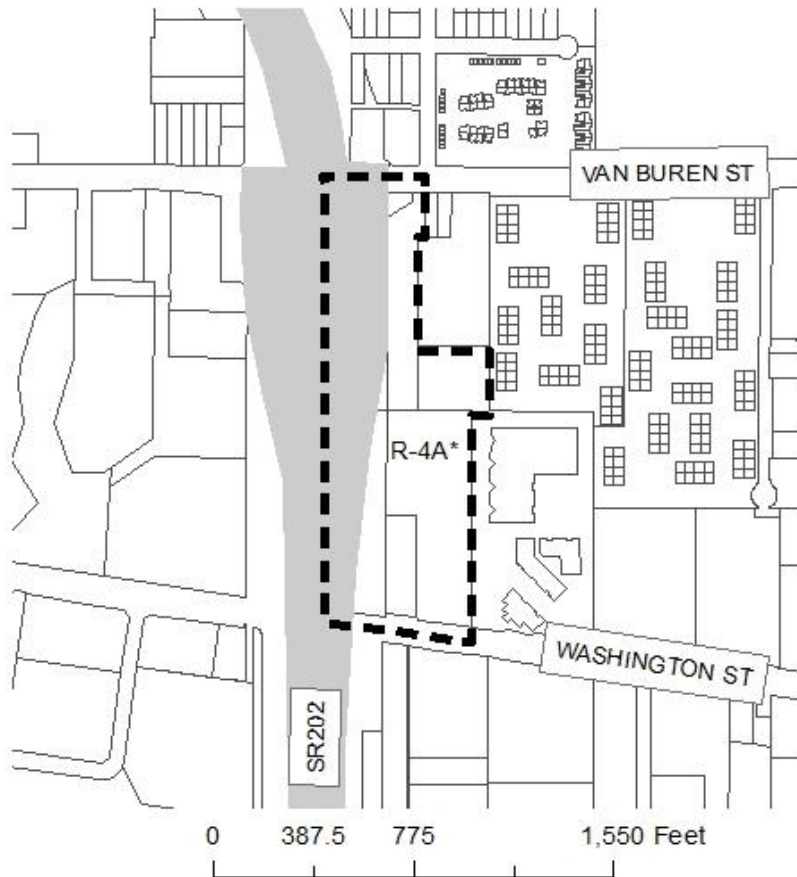
Commencing at the North quarter of said Section 8

ORDINANCE LOCATION MAP

EXHIBIT B

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

Zoning Case Number: PHO-1-18-Z-36-08-6
Zoning Overlay: N/A
Planning Village: Camelback East



NOT TO SCALE



Drawn Date: 12/26/2018