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 ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-53-22-8) FROM S-1 (RANCH OR FARM RESIDENCE), S-1 (APPROVED C-2 PCD) (RANCH OR FARM RESIDENCE, APPROVED INTERMEDIATE COMMERCIAL, PLANNED COMMUNITY DISTRICT), S-1 (APPROVED R-2 PCD) (RANCH OR FARM RESIDENCE, APPROVED MULTIFAMILY RESIDENCE DISTRICT, PLANNED COMMUNITY DISTRICT), S-1 (APPROVED R-3 PCD) (RANCH OR FARM RESIDENCE, APPROVED MULTIFAMILY RESIDENCE DISTRICT, PLANNED COMMUNITY DISTRICT), S-1 (APPROVED R-3A PCD) (RANCH OR FARM RESIDENCE, APPROVED MULTIFAMILY RESIDENCE DISTRICT, PLANNED COMMUNITY DISTRICT), S-1 (APPROVED R1-10 PCD) (RANCH OR FARM RESIDENCE, APPROVED SINGLE-FAMILY RESIDENCE DISTRICT, PLANNED COMMUNITY DISTRICT), S-1 (APPROVED R1-18 PCD) (RANCH OR FARM RESIDENCE, APPROVED SINGLE-FAMILY RESIDENCE DISTRICT, PLANNED COMMUNITY DISTRICT), S-1 (APPROVED R1-8 PCD) (RANCH OR FARM RESIDENCE, APPROVED SINGLE-FAMILY RESIDENCE DISTRICT, PLANNED COMMUNITY DISTRICT), AND S-1 (APPROVED RH/R1-10 PCD) (RANCH OR FARM RESIDENCE, APPROVED RESORT DISTRICT/SINGLE-FAMILY RESIDENCE DISTRICT, PLANNED COMMUNITY DISTRICT) TO PUD (PLANNED UNIT DEVELOPMENT).

_____

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

SECTION 1. The zoning of a 288.63-acre site located approximately 860 feet south of the southwest corner of 51st Avenue and Carver Road in a portion of

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Sections 17, 20, and 21, Township 1 South, Range 2 East, as described more specifically in Exhibit “A,” is hereby changed from 2.17 acres of “S-1” (Ranch or Farm Residence), 27.20 acres of “S-1 (Approved C-2 PCD)” (Ranch or Farm Residence, Approved Intermediate Commercial, Planned Community District), 40.77 acres of “S-1 (Approved R-2 PCD)” (Ranch or Farm Residence, Approved Multifamily Residence District, Planned Community District), 3.84 acres of “S-1 (Approved R-3 PCD)” (Ranch or Farm Residence, Approved Multifamily Residence District, Planned Community District), 5.04 acres of “S-1 (Approved R-3A PCD)” (Ranch or Farm Residence, Approved Multifamily Residence District, Planned Community District), 9.58 acres of “S-1 (Approved R1-10 PCD)” (Ranch or Farm Residence, Approved Single-Family Residence District, Planned Community District), 76.33 acres of “S-1 (Approved R1-18 PCD)” (Ranch or Farm Residence, Approved Single-Family Residence District, Planned Community District), 50.30 acres of “S-1 (Approved R1-8 PCD)” (Ranch or Farm Residence, Approved Single-Family Residence District, Planned Community District), and 73.40 acres of “S-1 (Approved RH/R1-10 PCD)” (Ranch or Farm Residence, Approved Resort District/Single-Family Residence District, Planned Community District) to “PUD” (Planned Unit Development).

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. An updated Development Narrative for the Gila Foothills PUD reflecting the changes approved through this request shall be submitted to the Planning Department within 30 days of City Council approval of this request. The

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updated Development Narrative shall be consistent with Development Narrative date stamped February 1, 2024, as modified by the following stipulations.

a. Front Cover, add “City Council adopted: [Insert Adoption date]”

b. Page 16, Section 3.2 Land Uses Per Development Unit, Permitted Land Uses: Add a paragraph under the heading as follows:

All temporary uses shall comply with Section 708 of the Phoenix Zoning Ordinance.

c. Page 16, Section 3.2 Land Uses Per Development Unit, Permitted Land Uses: Add a paragraph under the heading as follows:
The permitted land uses depicted below are restricted to the maximum square footage of the land use assumptions established in Appendix A2. Land Use Assumptions for Street Master Plan. Each developer shall be required to provide an updated land use matrix illustrating maximum land use square footages in compliance with Appendix A2. Land Use Assumptions for Street Master Plan. Amendments to increase these established land use assumptions may be administered through a PUD Minor Amendment and shall require an updated Traffic Impact Analysis incorporating the increased assumptions.

d. Page 16, Section 3.2 Land Uses Per Development Unit, Permitted Land Uses, Development Unit 1: Add “Single-Family Residential.”

e. Page 16, Section 3.2 Land Uses Per Development Unit, Permitted Land Uses, Development Units 2, 3, and 4A: Delete “Self Service Storage (Limited to a maximum total of two (2) across the entire PUD site”.

f. Page 16, Section 3.2 Land Uses Per Development Unit, Permitted Land Uses, Development Units 2, 3, 4A: Add the following bullet point:

- Hospitals
  - Minimum 100 inpatient beds required to achieve the additional 500 units referenced in the Development Standards Table 6: Miscellaneous.

g. Page 20, Section 3.2 Land Uses Per Development Unit, Permitted Land Uses, Development Unit 5 And 6: Add the following:

- Single-Family Residential is allowed In Development Unit 5.

h. Page 20, Section 3.2 Land Uses Per Development Unit, Permitted Land Uses, Development Units 8: Delete “All Types of Office.”

i. Page 20, Section 3.2 Land Uses Per Development Unit, Permitted Land Uses, Development Unit 8: Add the following:

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- Single-Family Residential.

j. Page 20, Section 3.2 Land Uses Per Development Unit, Permitted Land Uses, Development Units 8: Add the following:

Professional, medical, dental and administrative office use including clerical or sales representative offices. No commodity or tangible personal property, either by way of inventory or sample, shall be stored, kept, or exhibited in any said office or on the premises wherein the said office is located except materials associated with professional or medical practice. Such office use shall not include:

a. Branch offices for the following: banks, building and loan associations, brokage houses, savings and loan associations, finance companies, title insurance companies, title insurance companies and trust companies.

b. Veterinary offices.

k. Page 21, Section 3.2 Land Uses Per Development Unit, Permitted Land Uses, Development Unit 9A: Add the following:

- Single-Family Residential.

l. Page 21, Section 3.2 Land Uses Per Development Unit, Permitted Land Uses, Development Unit 9B: Modify the third bullet point to "Alcohol sales as an accessory use."

m. Page 21, Section 3.2 Land Uses Per Development Unit, Permitted Land Uses, Development Units 9A, 9B, and 10: Add a sub-bullet point under "Multifamily" as follows:

Only permitted if building permits for a resort have not been issued within five years of the dedication of Gila Foothills Parkway and no sooner than five years after the adoption of the PUD. This provision only applies to a 50-acre resort reservation area and not to the remaining approximately 7 acres. The 7 acres of multifamily development must be placed in area/s that would not interrupt the viability of having a relatively contiguous 50-acre area reserved for a resort.

n. Page 23, Section 3.2 Land Uses Per Development Unit, Prohibited Land Uses, All Development Units: Add "Self Service Storage" and "Pawn Shops".

o. Page 25, Section 3.3 Roadway Circulation, 51st Avenue: Remove all reference to "half-street improvements" and modify to "full limits" of 51st Avenue.

p. Page 28, Section 3.3 Roadway Circulation, Exhibit 11 – Conceptual Trail Plan: Modify to show the MUT on the south and west sides of Gila

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Foothills Parkway.

q. Page 28, Section 3.3 Roadway Circulation, Exhibit 11 – Conceptual Trail Plan: Remove “or Planned” from the legend heading.

r. Page 32, Exhibit 14, Update to reflect the updated maximum height allowed.

s. Page 39, Section 4. Development Standards, Development Standards Table 1: Building Setbacks: Update the setbacks for Development Unit 10 along Gila Foothills Parkway to 25 Feet.

t. Page 39, Section 4. Development Standards, Development Standards Table 1: Building Setbacks: Add a row to the end of the table for the Property Line shared with South Mountain Park; and require a 50-foot setback for Development Units 9A, 9B, and 10.

u. Page 41, Section 4. Development Standards, Development Standards Table 3: Landscape Buffers, 47th Avenue: Switch the provisions for Development Units 9A and 9B.

v. Page 41, Section 4. Development Standards, Development Standards Table 3: Landscape Buffers: Add a row to the end of the table for the Property Line shared with South Mountain Park, and require a 50-foot buffer for Development Units 9A, 9B, and 10. Also add a footnote to see the South Mountain Perimeter Zone provisions on pages 64 and 95.

w. Page 41, Section 4. Development Standards, Table 4: Building Height, Update the maximum building height for Development Units 3, 4A, 4B, and 6 to allow a maximum of 40 feet.

x. Page 41, Section 4. Development Standards, Development Standards Table 4: Building Height: Modify Footnote (1) as follows:

Hospital uses may be up to 120 feet in height for up to 20% of the area of the development unit.

y. Page 41, Section 4. Development Standards, Development Standards Table 4: Building Height: Add Footnote (3) to apply to Development Units 2, 3, 4A, 4B that states the following:

Parking garages accessory to an automobile dealership may be up to 56 feet in height.

z. Page 41, Section 4. Development Standards, Development Standards Table 4: Building Height: Add Footnote (4) to apply to Development Units 9A and 9B that states the following:

Resort uses may be up to 48 feet in height, subject to Development Standards Table 5: building step back.

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aa. Page 41, Section 4. Development Standards, Development Standards Table 4: Building Height: Add a footnote to apply to Development Unit 1 that states the following:

A maximum of 50% of Development Unit 1 that allows 40 feet in height can be developed up to the maximum height of 40 feet. The remaining 50% shall be limited to a maximum of 30 feet in height.

bb. Page 42, Section 4. Development Standards, Development Standards Table 5: Building Step Back: Update the first column referencing the property line shared within Tierra Montana as follows:

Property line shared with (or measured from) Tierra Montana Neighborhood

cc. Page 42, Section 4. Development Standards, Development Standards Table 5: Building Step Backs, Gila Foothills Parkway and 51st Ave: Switch the provisions for Development Unit 6.

dd. Page 42, Section 4. Development Standards, Development Standards Table 5: Building Step Backs: Add the following to the end of Footnote (3):

An additional foot of height will be allowed for every two additional feet of setback.

ee. Page 42, Section 4. Development Standards, Development Standards Table 5: Building Step Back: Add Footnote (7) to Development Unit 2 that states the following within the “Property line shared with (or measured from) Tierra Montana Neighborhood” row in the table:

56-foot maximum building height within 900 feet of the Tierra Montana Neighborhood.

ff. Page 43, Section 4, Development Standards, Development Standards Table 6: Miscellaneous, Maximum Residential Density, Development Unit 8: Update the density to 14 du/ac; and 2.34 du/ac or a maximum of 40 lots (whichever is less) for the first 500 feet; and a footnote that states the following:

The first 500 feet is measured from both Estrella Drive and 47th Avenue to create an “L” shaped development area. See Development Unit 8 density exhibit and Table 7 for single-family development standards.

gg. Page 43, Section 4. Development Standards, Development Standards Table 6: Miscellaneous: Delete the row for Maximum Number of Units.

hh. Page 43, Section 4. Development Standards, Development Standards Table 6: Miscellaneous, Parking Standards, first bullet: Delete the first

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bullet regarding the sale of EV or hybrid automobiles.

ii. Page 43, Section 4. Development Standards, Development Standards Table 6: Miscellaneous, Parking Standards, fourth bullet: Remove “not to exceed 10 chargers.”

jj. Page 43, Section 4. Development Standards, Development Standards Table 6: Miscellaneous, Footnotes: Modify Footnote (1) as follows:

The entire overall PUD site may be developed with a maximum of 1,700 residential units. Hotel guest rooms do not count towards the maximum 1,700 dwelling units for the overall PUD site. Upon certificate of occupancy of a Level 1 Trauma Center hospital, as defined by the Arizona Department of Health Services, in Development Unit 2 an additional 500 dwelling units above the 1,700 cap are permitted with Development Units 2 and 5. Additional review and approval is required for any multifamily development in Development Units 2 and 5 that exceeds 40 feet in height, per Z-53-22-8 stipulation.

kk. Page 43, Section 4. Development Standards, Development Standards Table 6: Miscellaneous, Maximum Residential Density: Add Footnote (2) to Development Unit 2.

ll. Page 43, Section 4. Development Standards, Development Standards Table 6: Miscellaneous, Footnotes: Add a footnote that states the following and apply it to Development Units 9A, 9B and 10:

For any multifamily development not associated with a resort in Development Units 9A, 9B and 10, and within a 50-acre resort reservation area, conceptual site plans, elevations, and landscape plans shall be reviewed and approved by the Planning Hearing Officer through the public hearing process, including review by the Laveen Village Planning Committee prior to preliminary site plan approval. This is a legislative review for conceptual purposes only. Specific development standards and requirements will be determined by the Planning Hearing Officer and the Planning and Development Department.

mm. Page 43, Section 4. Development Standards: Add Development Standards Table 7: Development Standards for Single-Family Development. This table will address single-family residential development standards to include the following:

- Select R1-18 lot standards.
- Restricted to 1-story and 22 feet in height for the lots along Estrella Drive and 47th Avenue. All the interior lots are allowed to be 2-stories with up to 30 feet in height.
- Rectangular lots shall have an average lot width of 90 feet.
- Minimum 22-foot-long driveways.
- Minimum 15% open space.

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- Minimum roof overhang of 18 inches.

nn. Page 43-44, Section 4, Development Standards: Add Development Unit 8 Density Exhibit to visually demonstrate the “L” shaped area measured 500 feet from both Estrella Drive and 47th Avenue.

oo. Page 45, Section 4. Development Standards, Landscape Standards, Landscape Standards Table 1: Landscape Setbacks: Update title to Landscape Standards Table 1: Landscape Plant Types.

pp. Page 46, Section 4. Development Standards, Landscape Standards, Landscape Standards Table 2: Enhanced Streetscape R.O.W Planting: Modify the title to “Landscape Standards Table 2: Enhanced Streetscape R.O.W. Planting and Public Shade Standards”.

qq. Page 46, Section 4. Development Standards, Landscape Standards Table 2: Enhanced Streetscape R.O.W Planting: Revise sidewalk shading to show all sidewalk shading in the Hub Character Area to no less than 50%.

rr. Page 46, Section 4. Development Standards, Landscape Standards Table 2: Enhanced Streetscape R.O.W Planting, Notes, fifth bullet (Shade Pockets): Add the following as a sub-bullet point:

All public sidewalks adjacent to Automobile Dealership, Automobile Retail Sales, and Automobile Rental: A minimum 25% shade is required along sidewalk areas located between shade pockets. Overall shade coverage shall equal a total of 50% inclusive of shade pockets and the intermittent areas between shade pockets. All other uses within the HUB character area shall require a minimum 75% shade of public sidewalks.

ss. Page 46, Section 4. Development Standards, Landscape Standards Table 2: Enhanced Streetscape R.O.W Planting: Add a note as follows:

Upon redevelopment of a site formerly used for Automobile Dealership, Automobile Retail Sales, or Automobile Rental into Non-Automobile Dealership, Automobile Retail Sales, or Automobile Rental, right-of-way landscaping and shade requirements shall meet the 75% shade standard.

tt. Page 46-47, Section 4. Development Standards, Landscape Standards Table 2: Enhanced Streetscape R.O.W Planting: Add a footnote to apply to all provisions for medians as follows:

All modified median landscaping deviating from City of Phoenix standard landscape requirements shall be privately maintained and identified on the approved master street plan and associated plats.

uu. Page 47, Section 4. Development Standards, Landscape Standards

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Table 2: Enhanced Streetscape R.O.W Planting: Add a footnote to apply to Development Units 3, 6, and 4A as follows:

51st Avenue, south of Estrella Drive, is located within Maricopa County jurisdiction. Any street improvements or landscaping on 51st Avenue are subject to the review and approval of Maricopa County.

vv. Page 50, Section 5. Signage, Off Premise Signage: Update the end of the second bullet point as follows:

…design to be presented for review and comment to the Laveen Village Planning Committee.

ww. Page 52, Section 6. Sustainability: Add a provision for recycling as the last bullet point.

xx. Page 52, Section 6, Sustainability:

(1) Update the last sentence in the first paragraph as follows:

Development parcels must incorporate all the following sustainability principles:

(2) Add bullet points 2, 6, 9, and 14 under the required sustainability principles.

(3) After the required sustainability items, add the following:

A minimum of three optional sustainability principles shall be selected from the options below, as approved by the Planning and Development Department.

(4) Add the remaining sustainability items (bullet points 1, 3, 4, 5, 7, 8, 10, 11, 12, 13, 15, 16) under the optional sustainability principles, and include upgraded HVAC units at 15 seer or higher.

(5) Update bullet point 14 as follows:

The development will provide safe, reliable, and efficient stormwater management systems that protect both human health and the natural environment.

yy. Page 57, Section 7. Complete Streets, Design for Safety: Remove the second and third paragraphs.

zz. Page 69, Part 2 - Design Guidelines, Foothills Character Area, 2.1 Site and Building Design, C. Architectural Style and Character: Add a bullet to include the following:

Building façades on all multifamily development, facing publicly

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dedicated right-of-way that exceeds 75 feet in length, shall contain a minimum of one architectural embellishment and detailing such as textural changes, pilasters, offsets, recesses, window fenestration, shadow boxes and overhead/canopies every 75 linear feet.

aaa. Page 86 Part 2 - Design Guidelines, Foothills Character Area, 2.3 Landscaping, B. Site Walls, Screens, and Fences: Update this section to require the following along Estrella Drive and 47th Avenue: 6-foot painted CMU perimeter walls and tubular mild steel or pipe fencing (allowed to tarnish/rust naturally), implemented in segments that conform to industry standard lengths.

bbb. Page 92, Part 2 - Design Guidelines, Foothills Character Area, 2.3 Landscaping, G. General Landscaping Requirements: Add the following:

Lower-level landscaping is preferred between any perimeter walls and a possible bridlepath along 47th Avenue.

ccc. Page 93, Part 2 - Design Guidelines, Foothills Character Area, 2.3 Landscaping, I. Site Lighting: Add the following paragraph:

If private streets are proposed in single-family residential subdivisions, minimal street lighting shall be considered.

ddd. Page 95, Foothills Character Area, 2.3 Landscaping, j. Perimeter Treatments, South Mountain Perimeter Treatment: Delete the last paragraph.

eee. Page 99, Part 2 - Design Guidelines, District Character Area, 3.1 Site and Building Design, C. Architectural Style and Character: Add a bullet to include the following:

Building façades on all multifamily development, facing publicly dedicated right-of-way that exceeds 75 feet in length, shall contain a minimum of one architectural embellishment and detailing such as textural changes, pilasters, offsets, recesses, window fenestration, shadow boxes and overhead/canopies every 75 linear feet.

fff. Page 103, The District Character Area, 3.1 Site and Building Design, 2. Circulation: Remove Section 2.b.

ggg. Page 123, Part 2 - Design Guidelines, Hub Character Area, 1. Site and Building Design, b. Architectural Style and Character: Add a bullet to include the following:

Building façades on all multifamily development, facing publicly dedicated right-of-way that exceeds 75 feet in length, shall contain a minimum of one architectural embellishment and detailing such as textural changes, pilasters, offsets, recesses, window fenestration, shadow boxes and overhead/canopies every 75 linear feet.

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hhh. Page 142, The Hub Character Area, 2. Circulation, C. Street Design and Landscape Character, Shade Pockets: Update Exhibit H9 to reflect the minimum 25% shade along sidewalk areas between shade pockets and overall shade coverage to total 50% and all uses within the HUB to a minimum 75% shade as required by Stipulation No. 1.ss.

iii. Page 143, The Hub Character Area, 2. Circulation, C. Street Design and Landscape Character, Shade Pockets, Conceptual Shade Pocket Detail A, B1, and B2: Update Detail A, B1, and B2 to reflect the required shading requirements per Stipulation No. 1.ss.

jjj. Update all exhibits to include the 55th Avenue connection from the existing northern stub to Estrella Avenue.

kkk. Submit legal descriptions for all development units as an appendix to the PUD narrative.

lll. Update any typographical or scrivener's errors throughout.

2. Any multifamily development in Development Units 2 and 5 that exceed 40 feet in height and any multifamily development not associated with a resort in Development Units 9A, 9B, and 10, and within a 50-acre resort reservation area, shall have conceptual site plans, elevations, and landscape plans reviewed and approved by the Planning Hearing Officer through the public hearing process, including review by Laveen Village Planning Committee prior to preliminary site plan approval. This is a legislative review for conceptual purposes only. Specific development standards and requirements will be determined by the Planning Hearing Officer and the Planning and Development Department.

3. A Master Height and Density Tracking Matrix shall be provided and updated on all site plan submittals to track the number of units within the PUD area and the building height within Development Unit 1. Upon resubmittal of a post-Council hearing draft of the PUD Narrative, a Master Height and Density Tracking Matrix formal shall be added as an appendix.

4. The applicant shall submit a Traffic Impact Analysis (TIA) to the City for this development and update the existing Tierra Montana Master Street Plans associated with the Segment Two development area. The TIA shall be submitted to ADOT and MCDOT for interagency review. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City.

5. The developer shall update the existing Tierra Montana Master Street Plan for inclusion of Segment Two network. Phasing sheet to be updated to include roadway networks to be completed by Segment Two development within existing Segment One as per the required updated Traffic Impact Analysis. Roadways located within Segment two that are not under the jurisdiction of the City of Phoenix shall require review and approval with the corresponding jurisdiction.

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6. The developer shall design and install, at their expense, traffic signals and or roundabouts at locations approved by the TIA and updated Master Street Plan. The developer shall be responsible for the construction and/or escrow contribution, as approved by the TIA and Master Street Plans. Stipulation subject to change based on TIA comments for signal location evaluation and funding responsibility.

7. The developer shall dedicate and construct roadway, paving, curb, gutter, detached sidewalk, traffic signal infrastructure, and other necessary incidentals for all arterial and collector roadways as per the approved TIA and Master Street Plan.

8. The developer shall provide access control at locations in accordance with the City's Design Standards Manual and/or as approved per the Master Street Plan.

9. The full limits of 51st Avenue shall be dedicated and constructed north of Estrella Drive to Carver Road, per the cross-section approved in the master street plan.

10. The full limits of 51st Avenue shall be dedicated and constructed south of Estrella Drive, as approved by Maricopa County. Should 51st Avenue be annexed into the City of Phoenix, right-of-way dedications and improvements shall be required to meet City of Phoenix standards.

11. Right-of-way shall be dedicated and constructed for the west side of 47th Avenue, as required by the approved master street plans. Should a request be submitted to abandon 47th Avenue, it shall be considered through a formal hearing process prior to or concurrent with the TIA and approved master street plan.

12. A minimum 60-feet of right-of-way shall be dedicated and constructed for the full limits of 55th Avenue. The developer shall work with the Street Transportation Department to incorporate traffic mitigation measures.

13. All modified median landscaping deviating from City of Phoenix standard landscape requirements shall be privately maintained and identified on the approved master street plan and associated plats.

14. A minimum 30-foot-wide multi-use trail easement (MUTE) shall be dedicated on the east side of 51st Avenue, south of Estrella Drive. Construction of the multi-use trail shall be to City standards.

15. A minimum 30-foot-wide multi-use trail easement (MUTE) shall be dedicated on the north side of Estrella Drive, west of 51st Avenue. Construction of the multi-use trail shall be to City standards.

16. A minimum 30-foot-wide multi-use trail easement (MUTE) shall be dedicated on the south and west sides of Gila Foothills Parkway, as depicted on Exhibit 11 – Conceptual Trail Plan. Construction of the multi-use trail shall be to City

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standards.

17. A minimum 30-foot-wide multi-use trail easement (MUTE) shall be dedicated on the north side of 55th Avenue, connecting to 51st Avenue. Construction of the multi-use trail shall be to City standards.

18. The developer shall convey land, if necessary, located at the end of Gila Foothills Parkway as a trailhead to South Mountain Preserve, as modified and approved by the Parks and Recreation Department and Planning and Development Department. The final acreage and configuration of the property to be conveyed, along with timing of the conveyance, shall be mutually agreed upon by the developer, the Parks and Recreation Department, and Planning and Development Department.

19. The developer shall investigate entering into a development agreement with the City regarding public infrastructure.

20. The developer shall underground existing electrical utilities within the public right-of-way that are impacted or require relocation, excluding 69kv or larger, as part of this project. The developer shall coordinate with the affected utility companies for their review and permitting.

21. Existing irrigation facilities along all public streets are to be undergrounded and relocated outside of City right-of-way, unless otherwise approved by the Street Transportation Department. Contact SRP to identify existing land rights and establish the appropriate process to relocate the facility.

22. All major public infrastructure shall be constructed as part of the first phase of construction, subject to a development agreement with the City of Phoenix and an updated streets master plan, including the following: 51st Avenue from the Loop 202 freeway on the south to Carver Road; Gila Foothills Parkway; Estrella Drive from the Loop 202 freeway on the west to 47th Avenue; 47th Avenue adjacent to the site (unless abandoned); and 55th Avenue as required by the City of Phoenix. This will also include any required water, sewer, and stormwater infrastructure.

23. The proposed “county lane” shall be shifted so as not to directly align with the front entry of any existing residential homes. The final location shall be determined at the time of master street plan, as approved by the Planning and Development Department and the Street Transportation Department.

24. 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.

25. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and 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.

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26. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.

27. 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.

28. Prior to final site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. 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.

29. The property owner, or designee, shall provide annual land development updates on the status of development within the PUD to the Laveen Village Planning Committee until all land in the Hub Character Area and Development Units 9A and 9B have preliminary site plan approval.

30. Prior to preliminary site plan approval for any development within the PUD, the developer shall notify the following individuals:

    Phil Hertel
    2845 W. Broadway Road
    Phoenix, AZ 85041

    Jon Kimoto
    3216 W. Ansell Road
    Laveen, AZ 85339

    John Bzdel
    12120 S. 39th Avenue
    Laveen, AZ 85339

    Maria Reagin
    4131 W. Calle Poco
    Laveen, AZ 85339

    Linda Abegg
    5407 W. Winston Drive
    Laveen, AZ 85339

    Stephanie Hurd
    10207 S. 47th Avenue
    Laveen, AZ 85339

    Francisco Barraza
    4152 W. Allen Street
    Laveen, AZ 85339

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Joanne Jensen
8303 S. 17th Drive
Phoenix, AZ 85041

Patrick Nasser-Taylor
11024 S. 56th Lane
Laveen, AZ 85339

Carlos Ortega
7006 S. 40th Lane
Phoenix, AZ 85041

Rebecca Perrera
7914 S. 73rd Lane
Laveen, AZ 85339

Jennifer Rouse
4821 W. Ellis Street
Laveen, AZ 85339

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 1st day of May, 2024.

_____
MAYOR

ATTEST:

_____
Denise Archibald, City Clerk

APPROVED AS TO FORM:
Julie M. Kriegh, City Attorney

By:
_____

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REVIEWED BY:

_____
Jeffrey Barton, City Manager

Exhibits:
A – Legal Description (3 Pages)
B – Ordinance Location Map (1 Page)

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EXHIBIT A

LEGAL DESCRIPTION FOR Z-53-22-8

A PORTION OF SECTIONS 17, 20, AND 21, TOWNSHIP 1 SOUTH, RANGE 2 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 21;

THENCE ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 21, SOUTH 89°49'09" EAST, A DISTANCE OF 2640.71 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION 21;

THENCE ALONG THE EAST LINE OF SAID NORTHWEST QUARTER OF SECTION 21, SOUTH 00°02'24" WEST, A DISTANCE OF 2396.38 FEET;

THENCE LEAVING SAID EAST LINE, SOUTH 89°51'02" WEST, A DISTANCE OF 660.39 FEET;

THENCE SOUTH 00°02'42" WEST, A DISTANCE OF 248.30 FEET TO THE SOUTH LINE OF SAID NORTHWEST QUARTER OF SECTION 21;

THENCE ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER OF SECTION 21, SOUTH 89°48'59" WEST, A DISTANCE OF 311.23 FEET TO THE NORTHEAST CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED AS PARCEL NO. 4 RECORDED IN DOC. 89-0500549, RECORDS OF MARICOPA COUNTY, ARIZONA, SAID POINT ALSO THE NORTHWEST CORNER OF THAT CERTAIN PARCEL OF LAND DEEDED TO THE CITY OF PHOENIX IN DOC. 98-0405987, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE ALONG THE EAST LINE OF SAID PARCEL RECORDED IN DOC. 89-0500549, SOUTH 20°23'34" WEST, A DISTANCE OF 277.00 FEET;

THENCE CONTINUING ALONG SAID EAST LINE, SOUTH 59°03'34" WEST, A DISTANCE OF 88.00 FEET;

THENCE CONTINUING ALONG SAID EAST LINE, SOUTH 37°21'34" WEST, A DISTANCE OF 269.00 FEET;

THENCE CONTINUING ALONG SAID EAST LINE, SOUTH 17°40'34" WEST, A DISTANCE OF 396.00 FEET;

THENCE CONTINUING ALONG SAID EAST LINE, SOUTH 05°10'34" WEST, A DISTANCE OF 46.73 FEET TO THE EASTERLY RIGHT OF WAY LINE OF THE SOUTH MOUNTAIN FREEWAY AS SHOWN ON THE RIGHT OF WAY PLANS FOR PROJECT NO. 202L MA 000 H5439 01R;

THENCE ALONG SAID RIGHT OF WAY LINE, THE FOLLOWING COURSES;

NORTH 33°56'57" WEST, A DISTANCE OF 321.59 FEET;

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NORTH 41°40'59" WEST, A DISTANCE OF 605.56 FEET;

NORTH 38°11'16" WEST, A DISTANCE OF 893.66 FEET;

NORTH 00°03'35" EAST, A DISTANCE OF 76.81 FEET;

NORTH 45°23'53" WEST, A DISTANCE OF 1120.82 FEET;

NORTH 40°31'59" WEST, A DISTANCE OF 199.24 FEET;

NORTH 34°17'56" WEST, A DISTANCE OF 1303.03 FEET;

NORTH 89°33'45" EAST, A DISTANCE OF 270.70 FEET;

NORTH 00°50'40" EAST, A DISTANCE OF 73.01 FEET TO THE NORTH LINE OF SAID SECTION 20;

THENCE ALONG SAID NORTH LINE, NORTH 89°33'41" EAST, A DISTANCE OF 347.81 FEET;

THENCE LEAVING SAID NORTH LINE, ALONG SAID RIGHT OF WAY LINE, NORTH 73°21'18" WEST, A DISTANCE OF 434.58 FEET;

THENCE NORTH 64°35'07" WEST, A DISTANCE OF 379.26 FEET;

THENCE NORTH 41°02'22" WEST, A DISTANCE OF 190.61 FEET;

THENCE NORTH 60°27'18" WEST, A DISTANCE OF 267.09 FEET;

THENCE NORTH 50°42'33" WEST, A DISTANCE OF 704.52 FEET TO THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 17;

THENCE ALONG SAID WEST LINE, NORTH 00°17'50" EAST, A DISTANCE OF 1091.53 FEET;

THENCE LEAVING SAID WEST LINE, SOUTH 89°49'50" EAST, A DISTANCE OF 20.13 FEET TO THE BEGINNING OF A CURVE CONCAVE EASTERLY WHOSE RADIUS BEARS NORTH 72˚20’51” EAST, A DISTANCE OF 1030.00 FEET;

THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, TO THE LEFT, THROUGH A CENTRAL ANGLE OF 6°29'13", AN ARC LENGTH OF 116.62 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHWESTERLY WHOSE RADIUS BEARS SOUTH 65°52'49" WEST, A DISTANCE OF 30.00 FEET;

THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 70°02'09", AN ARC LENGTH OF 36.67 FEET;

THENCE SOUTH 26°54'46" EAST, A DISTANCE OF 64.12 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHERLY WHOSE RADIUS BEARS SOUTH 11°55'46" EAST, A DISTANCE OF 30.00 FEET;

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THENCE EASTERLY ALONG THE ARC OF SAID CURVE, TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 71°13'47", AN ARC LENGTH OF 37.30 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHEASTERLY WHOSE RADIUS BEARS NORTH 59°16'29" EAST, A DISTANCE OF 1030.00 FEET;

THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, TO THE LEFT, THROUGH A CENTRAL ANGLE OF 04°30'50", AN ARC LENGTH OF 81.15 FEET;

THENCE SOUTH 35°14'21" EAST, A DISTANCE OF 427.01 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 970.00 FEET;

THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 04°30'28", AN ARC LENGTH OF 76.32 FEET;

THENCE SOUTH 89°58'12" EAST, A DISTANCE OF 843.88 FEET;

THENCE NORTH 00°12'10" EAST, A DISTANCE OF 336.29 FEET;

THENCE SOUTH 89°58'07" EAST, A DISTANCE OF 1295.27 FEET;

THENCE SOUTH 00°06'34" WEST, A DISTANCE OF 336.26 FEET;

THENCE SOUTH 89°58'12" EAST, A DISTANCE OF 40.00 FEET TO THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 17;

THENCE ALONG SAID EAST LINE, SOUTH 00°06'34" WEST, A DISTANCE OF 1397.13 FEET TO THE POINT OF BEGINNING.

EXCEPT THE EAST 40 FEET OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF FARM UNIT “B”, ACCORDING TO THE FARM UNIT PLAT;

ALSO EXCEPTING THE NORTH 80 FEET OF THE EAST 90 FEET OF GLO LOT 3 OF SAID SECTION 20;

ALSO EXCEPTING THE WEST 15 FEET OF THE EAST 55 FEET OF GLO LOT 3 OF SAID SECTION 20.

ALSO EXCEPTING THEREFROM THE WEST 75.00 FEET OF SAID SECTION 21.

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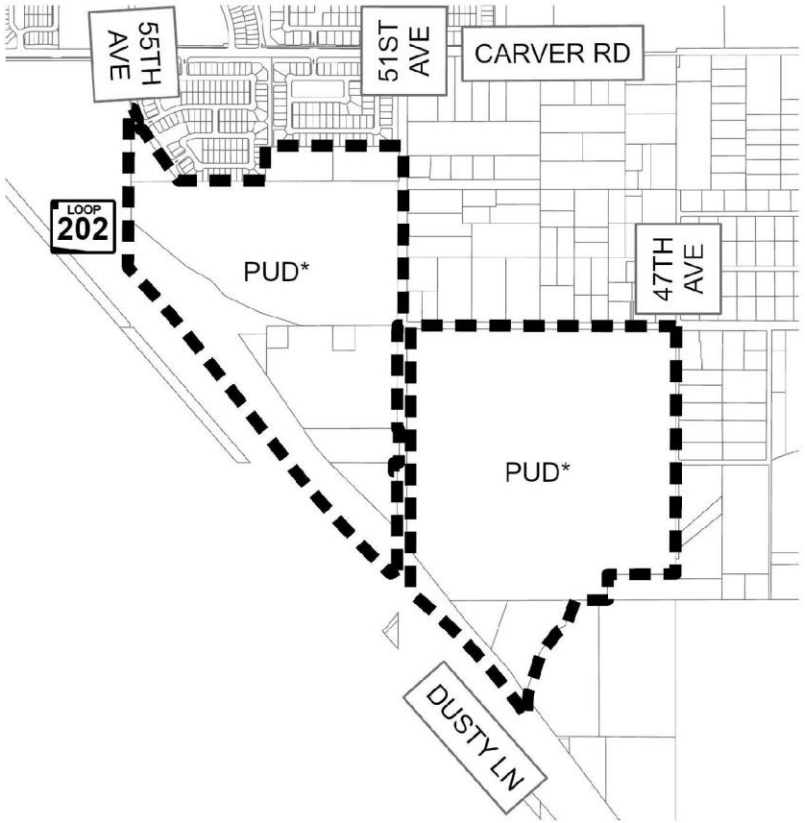
ORDINANCE LOCATION MAP

EXHIBIT B

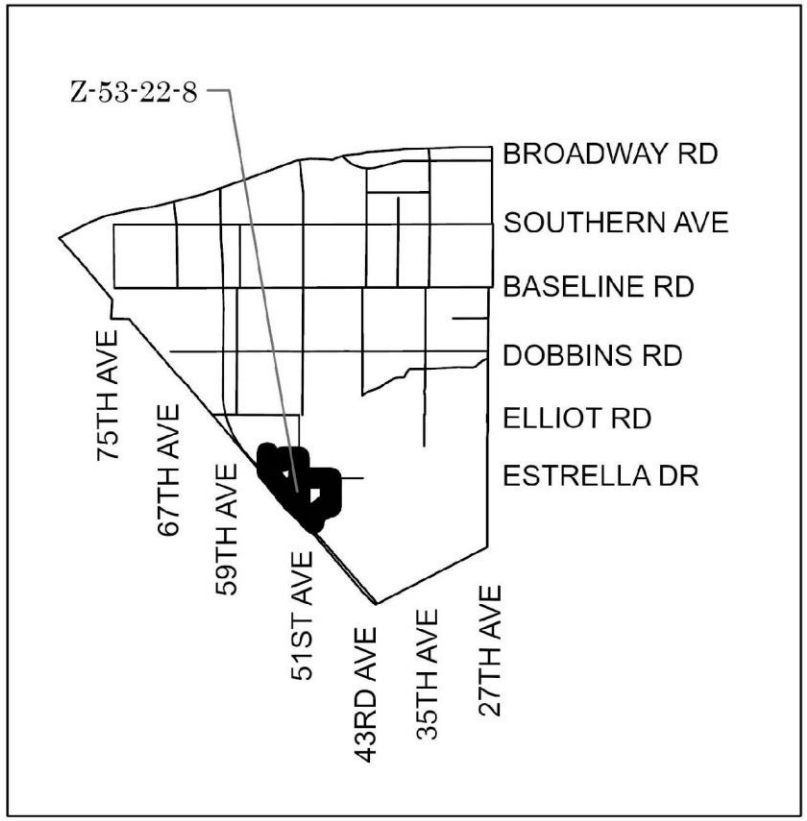
ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA:

Zoning Case Number: Z-53-22-8
Zoning Overlay: N/A
Planning Village: Laveen



0 5001,000 2,000 Feet



NOT TO SCALE

N

Drawn Date: 3/29/2024

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