

ATTACHMENT A

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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 (Z-27-19-8) FROM S-1 (APPROVED RE-35 PCD) (RANCH OR FARM RESIDENCE (APPROVED SINGLE-FAMILY 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 R1-8 PCD) (RANCH OR FARM RESIDENCE (APPROVED SINGLE-FAMILY RESIDENCE DISTRICT, PLANNED COMMUNITY DISTRICT)), AND S-1 (APPROVED R-3 PCD) RANCH OR FARM RESIDENCE (APPROVED MULTIFAMILY RESIDENCE DISTRICT, PLANNED COMMUNITY DISTRICT)) TO R1-10 (SINGLE-FAMILY RESIDENCE DISTRICT) TO ALLOW FOR SINGLE-FAMILY RESIDENTIAL.

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

SECTION 1. The zoning of a 163.82-acre site located at the southwest corner of 55th Avenue and Dobbins Road, in a portion of Section 8, Township 1 South, Range 2 East, as described more specifically in Exhibit "A", is hereby changed from 15.24 acres of "S-1 (Approved RE-35 PCD)" (Ranch or Farm Residence District) (Approved Single-Family Residence District, Planned Community District), 65.03 acres of "S-1 (Approved R1-10 PCD)" (Ranch or Farm Residence District) (Approved Single-

Family Residence District, Planned Community District)), 67.89 acres of “S-1 (Approved R1-8 PCD)” (Ranch or Farm Residence District) (Approved Single-Family Residence District, Planned Community District)), and 15.66 acres of “S-1 (Approved R-3 PCD)” (Ranch or Farm Residence District) (Approved Multifamily Residence District, Planned Community District)) to 163.82 acres of R1-10 (Single-Family Residence District) to allow for single-family residential.

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 development shall not exceed 610 dwelling units.
2. North of Olney Avenue, the development shall be limited as follows and as approved by the Planning and Development Department:
 - a. Within 200 feet of the east property line, building height shall be limited to one story and 20 feet.
 - b. Within 200 feet of the east property line, the minimum perimeter building setback shall be 70 feet.
3. There shall be no lots less than 55 feet wide north of Olney Avenue and no lots less than 50 feet wide south of Olney.
4. There shall be neighborhood entry features provided at the southeast and southwest corner of 57th Avenue and Dobbins Road and the southeast corner of 59th Avenue and Olney Avenue. Features shall include a minimum of 250 square feet of enhanced landscaping, planted and maintained with a variety of at least three plant materials including a series of annuals that will each maintain a constant bloom throughout the year.

5. A minimum of 15 percent of the gross project shall be retained as open space, exclusive of landscape setbacks, as approved by the Planning and Development Department.
6. There shall be a minimum of 5 evenly dispersed amenity areas situated in the common open space areas with the programming of amenity features being in general conformance with the Estrella Crossing Parks Master Plan date stamped August 16, 2019, as approved by the Planning and Development Department.
7. The developer shall provide a system of linear open spaces through the interior of the site of no less than 30 feet in width. The linear open spaces shall contain pedestrian thoroughfares of no less than 5 feet in width constructed of a concrete surface. The following shall be provided at a minimum and be aligned to connect amenity areas, provide pedestrian access to off-site amenities such as bus stops, schools, commercial, and recreational nodes, as approved by the Planning and Development Department:
 - a. A north-south connection aligned at the south with the pedestrian access in the Legacy at Hudson Development (Z-49-17-8) and extending to Dobbins Road on the north.
 - b. A north-south connection through the portion of the site located south of Olney Avenue, west of the 57th Avenue Alignment, and east of 59th Avenue.
 - c. An east-west connection from 59th Avenue to 55th Avenue south of Olney Avenue.
8. Pedestrian thoroughfares shall reflect a common landscaping theme and include a minimum of 2-inch caliper shade trees placed 30 feet on center, exclusive of driveway/roadway crossings, or in equivalent groupings on both sides of the pedestrian thoroughfares, as approved by the Planning and Development Department.
9. All sidewalks along 55th Avenue, 57th Avenue, 59th Avenue, and Olney Avenue shall be detached, landscaped, and developed in conformance with the approved cross sections from the Street Classification Map, and as approved by the Planning and Development Department.
10. All other sidewalks shall be detached with a minimum 3.5-foot-wide landscaped strip located between the sidewalk and back of curb and shall include a minimum 2-inch caliper shade trees planted a minimum of 20 feet on center or equivalent groupings along the residential side of the sidewalk, as approved by the Planning and Development Department.
11. The developer shall dedicate a 30-foot-wide multi-use trail easement (MUTE) along the south side of Olney Avenue. The developer shall construct a 10-

foot-wide multi-use trail (MUT) within the easement as indicated in Section 429 of the City of Phoenix MAG Supplement, as approved by the Planning and Development Department.

12. The developer shall dedicate a 30-foot-wide multi-use trail easement (MUTE) along the west side of 55th Avenue. The developer shall construct a 10-foot-wide multi-use trail (MUT) within the easement as indicated in Section 429 of the City of Phoenix MAG Supplement, as approved by the Planning and Development Department.
13. The developer shall dedicate a 20-foot-wide shared-use pathway easement (SUPE) along the east side of 59th Avenue. The developer shall construct a 10-foot-wide shared-use pathway (SUP) within the easement as indicated in Section 429 of the City of Phoenix MAG Supplement.
14. A minimum landscape setback of 30 feet shall be provided along 55th Avenue north of Olney Avenue and a minimum landscape setback of 30 feet shall be provided south of Olney Avenue, as approved by the Planning and Development Department.
15. A minimum 40-foot landscape setback shall be provided along 59th Avenue, as approved by the Planning and Development Department, as approved by the Planning and Development Department.
16. All required landscape setbacks along the perimeter of the site shall include a minimum 2-inch caliper trees or multi-trunk trees, placed 20 feet on center, or in equivalent groupings, and positioned to shade multi-use trails (MUT) and shared use pathways (SUP) where present, as approved by the Planning and Development Department.
17. The perimeter walls adjacent to 55th Avenue south of Olney Avenue, 57th Avenue, 59th Avenue, Dobbins Road, and Olney Avenue shall include material and textural differences, such as stucco and/or split face block with a decorative element, such as tile, glass insets, or stamped designs, as approved by the Planning and Development Department.
18. The perimeter wall adjacent to 55th Avenue north of Olney Avenue shall be in general conformance with the 55th Avenue Wall Condition Exhibit date stamped June 19, 2019, as approved by the Planning and Development Department.
19. Interior walls and privacy fencing, excluding walls located between lots, shall be integral in color or painted to blend with the natural desert environment, as approved by the Planning and Development Department.
20. The development shall be in general conformance with the elevations date stamped June 24, 2019, with the following exceptions and as approved by the Planning and Development Department:

- a. All front building elevations shall contain a minimum of 10 percent non-stucco material.
 - b. Eighteen-inch overhangs shall be provided on the elevations of all homes.
 - c. The Spanish style elevations contained in the above referenced elevations may be all stucco and are not required to provide overhangs.
 - d. The total number of Spanish style models shall be limited to 25 percent of all units.
21. 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.
 22. The developer shall dedicate right-of-way totaling 55 feet for the south half of Dobbins Road, as approved by the Planning and Development Department.
 23. The developer shall dedicate right-of-way totaling 60 feet for Olney Avenue, as approved by the Planning and Development Department.
 24. The developer shall dedicate right-of-way totaling 50 feet for all local streets within the development, as approved by the Planning and Development Department.
 25. The developer shall dedicate a 25-foot by 25-foot right-of-way triangle at the southwest corner of 55th Avenue and Dobbins Road, as approved by the Planning and Development Department.
 26. The developer shall dedicate a 25-foot by 25-foot right-of-way triangle at the southeast corner of 55th Avenue and Olney Avenue, as approved by the Planning and Development Department.
 27. The developer shall dedicate right-of-way totaling 55 feet for the east half of 59th Avenue, as approved by the Planning and Development Department.
 28. The developer shall dedicate right-of-way and construct a sufficient termination of 55th Avenue, as determined and approved by both the Street Transportation Department and the Maricopa County Department of Transportation (MCDOT).
 29. The applicant shall submit a Traffic Impact Study to the City for this development for review and approval by the Street Transportation Department. Additional right-of-way and street improvements may be required

following TIS review. Phasing of off-site improvements must be consistent with the TIS recommendations and requires approval of the Street Transportation Department.

30. Open irrigation facilities shall be piped outside of right-of-way. Contact SRP for existing land rights and the appropriate process for relocating facilities. Relocations that require additional dedications or land transfer require completion prior to obtaining plat and/or civil plan review approval.
31. The developer shall provide conduit and junction boxes at 59th Avenue and Olney Avenue for future traffic signal equipment on the southeast corner of the intersection. All work related to the construction or reconstruction of the conduit runs and junction box installation shall be the responsibility of the Developer.
32. For all improvements, dedications and access control within Maricopa County jurisdiction, formal MCDOT approval of the construction plans is required prior to Final Plat approval and/or scheduling for City Council.
33. The developer shall construct the ultimate cross section of Olney Avenue from 59th Avenue to 55th Avenue, as approved by the Planning and Development Department.
34. The developer shall construct the ultimate cross section of 57th Avenue from Olney Avenue to the northern property line of the future park site owned by the City of Phoenix. At the northern point of said property line, the developer shall install pavement tapers within the right of way. All plans and improvements shall be approved by the Planning and Development Department.
35. The developer shall provide proportionate funds (25 percent) in escrow for the construction of a new traffic signal, at 55th Avenue and Elliot Road with escrow funds deposited at the time of Final Plat approval for the first phase of the development.
36. The developer shall dedicate right-of-way and construct bus stop pads compliant with the City of Phoenix Standard Detail P1262 if connected to detached sidewalks and/or compliant with the City of Phoenix Standard Detail P1260 at the following locations with final locations to be determined by the Public Transit Department:
 - a. Eastbound Dobbins Road, east of the 56th Glen alignment
 - b. Northbound 59th Avenue, north of the Sunrise Drive alignment.
37. 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.

38. The development shall be subject to the following height restrictions, as approved by the Planning and Development Department:
 - a. All lots along the northern perimeter of the subdivision, adjacent to Dobbins Road, shall be limited to a maximum height of one-story and 20 feet.
 - b. All lots along the western portion of the subdivision, adjacent to 59th Avenue, shall be a maximum 50% two story homes and there shall be no more than 2 two-story residences in a row.
 - c. All lots along the eastern portion of the subdivision, adjacent to 55th Avenue and south of Olney Avenue, shall be a maximum 50% two story homes and there shall be no more than 2 two-story residences in a row.
 - d. All corner lots shall be limited to a maximum height of one story and 20 feet.
39. Any requests to change, delete, or modify stipulations shall be presented to the Laveen Village Planning Committee prior to review by the Planning Hearing Officer.
41. The developer shall provide a minimum 22-foot driveway for each home in the development.
42. The developer shall present building elevations to the Laveen Village Planning Committee for review and comment prior to site plan approval.
43. Prior to preliminary 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.

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 6th day of November, 2019.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

REVIEWED BY:

City Manager

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

DRAFT

EXHIBIT A

LEGAL DESCRIPTION – Z-27-19-8

The land referred to herein below is situated in the County of Maricopa, State of Arizona, and is described as follows:

the Northeast Quarter of the Southwest Quarter of the Section 8, Township 1 South, Range 2 East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

EXCEPT the North 10.00 feet, as set forth in quit-claim deed recorded in Book 105 of deeds, Page 229;

TOGETHER WITH:

the Northwest Quarter of the Southwest Quarter of the Section 8, Township 1 South, Range 2 East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

EXCEPT the West 33.00 feet, as set forth in quit-claim deed recorded in Book 117 of deeds, Page 555; and

EXCEPT the North 10 feet, as set forth in quit-claim deed recorded in Book 105 of deeds, Page 229;

TOGETHER WITH:

the Southwest Quarter of the Southwest Quarter of the Section 8, Township 1 South, Range 2 East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

EXCEPT the South 1174.00 feet and the West 33.00 feet. Contains 82.4536 acres, more or less.

Parcel B

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 Northwest Quarter of Section 8, Township 1 South, Range 2 East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

EXCEPT the South 20.00 feet, as set forth in quit-claim deed recorded in Book 105 of deeds, Page 234; and

EXCEPT the North 30.00 feet, as set forth in quit-claim deed recorded in Book 105 of deeds, Page 412.

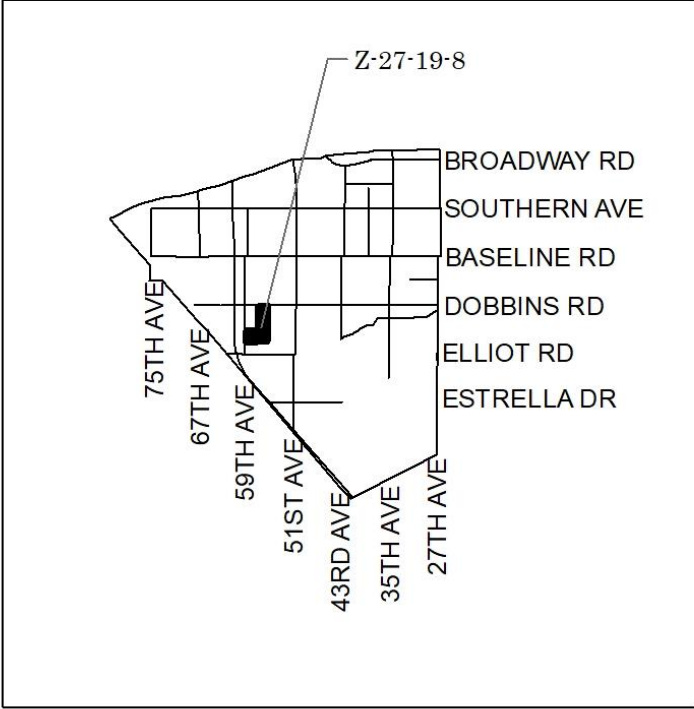
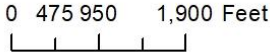
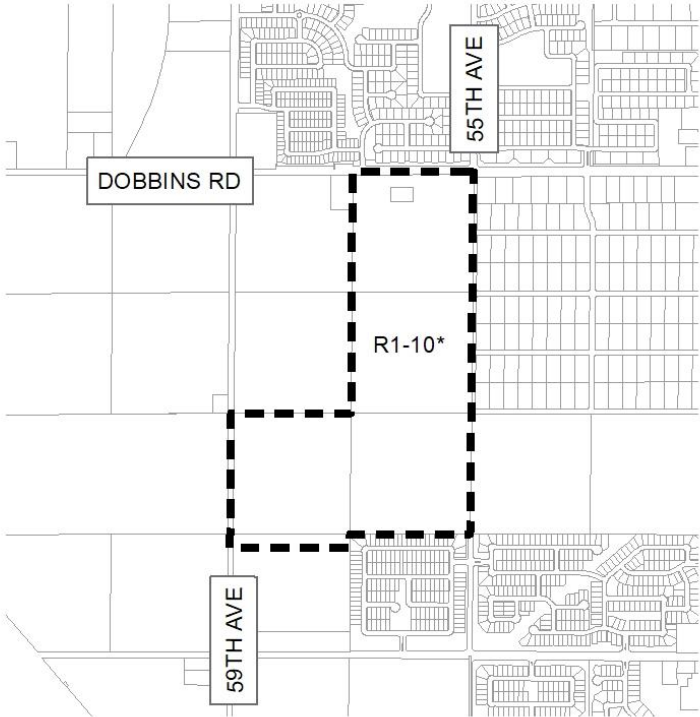
Contains 78.1507 acres, more or less.

ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: ■■■■■

Zoning Case Number: Z-27-19-8
Zoning Overlay: N/A
Planning Village: Laveen



NOT TO SCALE



Drawn Date: 10/4/2019