

ATTACHMENT A

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ADOPTED ORDINANCE**

ORDINANCE G-

AN ORDINANCE AMENDING THE STIPULATIONS APPLICABLE TO
REZONING APPLICATION Z-52-08-7 PREVIOUSLY APPROVED BY
ORDINANCE G-5293.

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

SECTION 1. The zoning stipulations applicable located at the northwest
corner of 67th Avenue and Baseline Road in a portion of Section 36, Township 1
North, Range 1 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 with the site plan
date stamped ~~October 23, 2008~~ DECEMBER 14, 2021, as modified by the
following stipulations, ~~and~~ approved by the PLANNING AND Development
~~Services~~ Department, AND WITH SPECIFIC REGARD TO THE
FOLLOWING:
 - A. THE DEVELOPER SHALL PROVIDE OPEN SPACE CORRIDORS
BETWEEN HOMES WITH A MINIMUM WIDTH OF 26 FEET,
CONSISTING OF MINIMUM 5-FOOT-DEEP PATIOS FOR EACH
HOME AND MINIMUM 16 FEET OF TURF AND LANDSCAPING, AS
DEPICTED ON THE SITE PLAN DATE STAMPED DECEMBER 14,
2021.
2. ~~That~~ The development shall be in general conformance with the elevations
date stamped ~~October 23, 2008~~ DECEMBER 1, 2021, with specific regard to
consistent architectural details, such as stone on all four sides of the

buildings, as approved by the PLANNING AND Development Services Department.

3. That Enhanced paving material(s) such as brick, stone, exposed aggregate, stamped concrete or similar surface material (not asphalt) shall be used at entrances to the site, intersections internal to the site, and at pedestrian crossings as approved by the PLANNING AND Development Services Department.
4. That All pedestrian walkways shall be shaded and connect all commercial pads to each other and to the public right-of-way, as approved by the PLANNING AND Development Services Department.
5. ~~That a comprehensive sign plan shall be approved for the entire development in accordance with Section 705 of the Zoning Ordinance in specific regard to the below items. The sign plan shall be presented and reviewed by the Laveen Village Planning Committee prior to the Zoning Adjustment hearing for consideration of their comments.~~
 - a. ~~Ground signs limited to monument style not to exceed 6 feet in height.~~
 - b. ~~Design and lighting that will minimize impact on the single family parcels to the east of the subject site.~~
 - c. ~~Signage shall utilize designs that are low glare and utilize rural design elements that are consistent with the submitted elevations dated October 23, 2008.~~
5. That The development shall be in general conformance with the conceptual
6. landscaping plan date stamped ~~October 23, 2008~~ DECEMBER 14, 2021, with specific regard to enhanced landscaping shown along 67th Avenue, as approved by the PLANNING AND Development Services Department.
6. That The western perimeter wall shall be a minimum 8-feet high and shall
7. include material and textural differences with a decorative element, such as tile or painted block, as approved by the PLANNING AND Development Services Department.
7. That a pedestrian walkway utilizing decorative paving materials shall be
8. provided at the corner of Baseline Road and 67th Avenue. The walkway shall be at grade level with the sidewalk within the right-of-way and shall provide direct entry into the site at PAD 1. Landscape features shall be provided on either side of the pedestrian walkway outside of the visibility triangle, as approved by the Development Services Department.

THE DEVELOPER SHALL PROVIDE MINIMUM ONE PEDESTRIAN PATHWAY WITHIN 200 FEET OF THE INTERSECTION OF 67TH AVENUE AND BASELINE ROAD THAT PROVIDES DIRECT CONNECTIVITY BETWEEN THE MULTIFAMILY DEVELOPMENT AND THE PUBLIC RIGHT-

OF-WAY, AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

TRANSIT

8. ~~That~~ Right-of-way shall be dedicated and a bus bay (detail P1256-1) and
9. transit pad (Detail P1261) constructed along 67th Avenue, as approved by the PLANNING AND Development ~~Services~~ Department.

ARCHAEOLOGY

9. ~~That~~ The developer shall conduct archaeological monitoring and/or testing by
10. a qualified archaeologist within all areas of the development prior to clearing and grubbing, landscape salvage, and/or grading, as approved or modified by the City Archaeologist. Further data recovery may be necessary based on results of the testing.

STREETS

10. ~~That~~ Right-of-way totaling 60 feet shall be dedicated for the north half of
11. Baseline Road, as approved by the PLANNING AND Development ~~Services~~ Department.
12. ~~That~~ The developer shall construct all streets within and adjacent to the
13. development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals as per plans approved by the PLANNING AND Development ~~Services~~ Department. All improvements shall comply with all ADA accessibility standards.
14. ~~That~~ Full-service access points to the development shall be limited to 660-foot spacing unless otherwise approved by the Street Transportation Department. Additional access points may be approved but will be restricted to right-in and right-out, as approved by the PLANNING AND Development ~~Services~~ Department.
15. ~~That~~ Public multi-use trails shall be constructed within an easement(s) per the
16. Standard Trail Detail (30-foot easement and 10-foot trail) in accordance with the MAG supplemental detail along 67th Avenue and Baseline Roads as approved by the Parks and Recreation Department. The applicant shall try to connect the trail across the well site north of the subject site along 67th Avenue. This connection will not be enforced if the well owner does not agree to the trail.
17. ~~That the final elevations for PAD-1 (at the southeast corner of the parcel) including the drive-thru canopy shall be presented to the Laveen Village Planning Committee for review and comment prior to preliminary site plan approval by the Development Services Department.~~

14. ~~That~~ The applicant shall notify the following individuals 15 days prior to any of the following events: preliminary site plan review meeting, Zoning Adjustment hearing or Planning Hearing Officer hearing.
16. ~~That~~
- a. Steven Klein
6820 South 66th Avenue
Laveen, AZ 85339
 - b. Phil Hertel
2300 West Broadway Road
Phoenix, AZ 85041
 - c. Jon Kimoto
3216 West Ansell Road
Laveen, AZ 85339
 - d. Stephanie Scovel
7416 South 45th Avenue
Laveen, AZ 85339
15. ~~That~~ Any request to modify or delete stipulations shall be reviewed and commented on by the Laveen Village Planning Committee prior to the Planning Hearing Officer Hearing.
17. ~~That~~

SECTION 2. Due to the site's specific physical conditions and the use district granted pursuant to Ordinance G-5293 this portion of the rezoning is now subject to the stipulations approved pursuant to Ordinance G-5293 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 26th day of January, 2022.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Cris Meyer, City Attorney

By:

REVIEWED BY:

Jeffrey Barton, City Manager

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

EXHIBIT A

LEGAL DESCRIPTION FOR PHO-1-21--Z-52-08-7

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 1 NORTH RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOT 11 AND 12 OF RANCHO GRANDE UNO, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 144 OF MAPS, PAGE 12;

TOGETHER WITH THE FOLLOWING DESCRIBED PARCEL;

BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 36 FROM WHENCE THE SOUTH QUARTER CORNER LIES NORTH 89 DEGREES, 56 MINUTES, 33 SECONDS WEST, A DISTANCE OF 2630.93 FEET, SAID POINT BEING THE POINT OF BEGINNING;

THENCE ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 36, NORTH 89 DEGREES, 56 MINUTES, 33 SECONDS WEST, A DISTANCE OF 477.69 FEET;

THENCE DEPARTING SAID LINE, NORTH 00 DEGREES, 46 MINUTES, 48 SECONDS WEST, A DISTANCE OF 55.01 FEET TO THE SOUTHWEST CORNER OF LOT 11 OF SAID RANCHO GRANDE UNO;

THENCE THENCE ALONG THE SOUTH LINE OF SAID LOT 11 AND 12, SOUTH 89 DEGREES, 56 MINUTES, 33 SECONDS EAST, A DISTANCE OF 402.68 FEET TO A POINT OF CURVE TO THE LEFT HAVING A RADIUS OF 19.71 FEET AND A CENTRAL ANGLE OF 90 DEGREES, 50 MINUTES, 32 SECONDS;

THENCE CONTINUE ALONG THE SOUTHERLY LOT LINE OF SAID LOT 12, NORTHEASTERLY ALONG THE ARC A DISTANCE OF 31.25 FEET;

THENCE ALONG THE EAST LINE OF SAID LOT 12, NORTH 00 DEGREES, 47 MINUTES, 05 SECONDS WEST, A DISTANCE OF 840.28 FEET;

THENCE DEPARTING SAID LINE, SOUTH 89 DEGREES, 51 MINUTES, 23 SECONDS EAST, A DISTANCE OF 55.01 FEET TO THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 36;

THENCE ALONG SAID LINE, SOUTH 00 DEGREES, 47 MINUTES, 05 SECONDS EAST, A DISTANCE OF 915.21 FEET TO THE POINT OF BEGINNING.

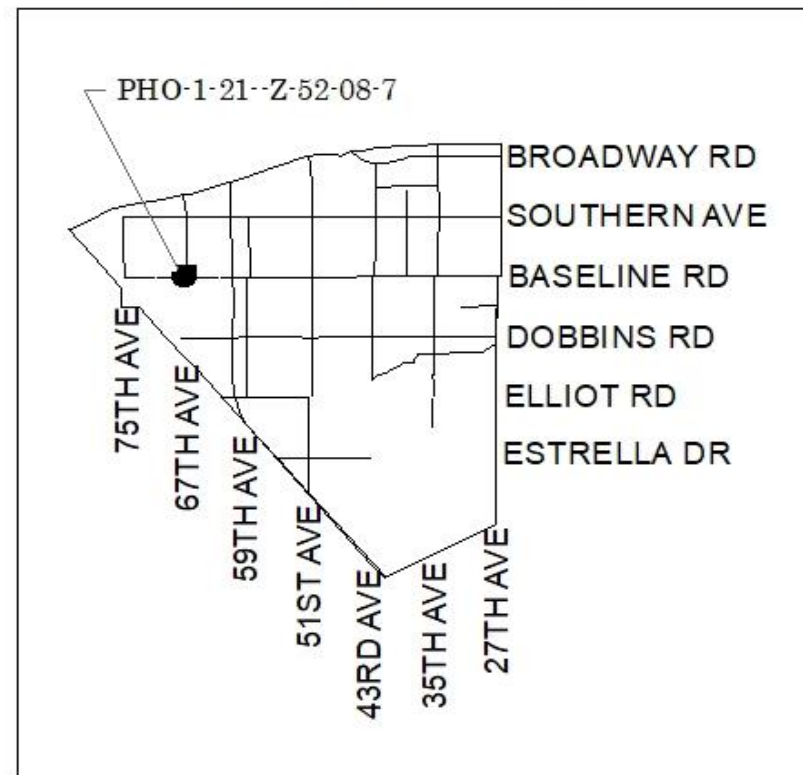
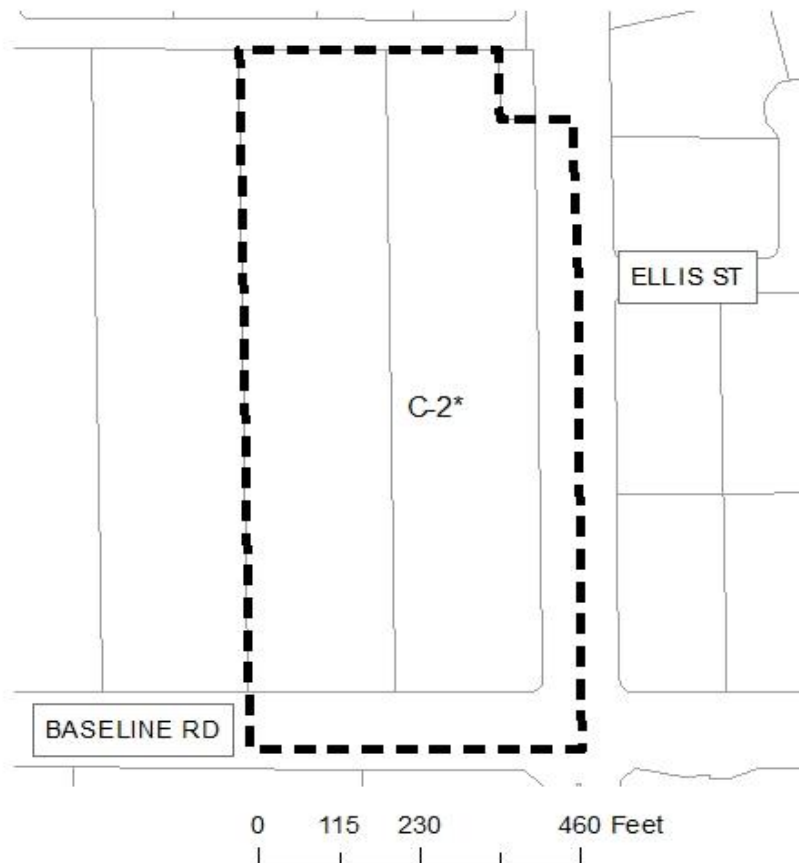
CONTAINING 476401.40 SQUARE FEET OR 10.9367 ACRES, MORE OR LESS.

ORDINANCE LOCATION MAP

EXHIBIT B

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

Zoning Case Number: PHO-1-21-Z-52-08-7
Zoning Overlay: N/A
Planning Village: Laveen



NOT TO SCALE



Drawn Date: 12/29/2021