

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-61-13-8 PREVIOUSLY APPROVED BY
ORDINANCE G-5941.

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

SECTION 1. The zoning stipulations applicable located at the southwest
corner of 44th Street and Palm Lane in a portion of Section 31, Township 2 North,
Range 4 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 JANUARY 26, 2018~~July 1, 2014~~, as approved or modified by the Planning and Development Department.
2. The development shall be in general conformance with the elevations date stamped JANUARY 26, 2018~~April 15, 2014~~, except as modified by the following stipulations and approved by the Planning and Development Department.
3. The property owner shall provide a 10-foot landscape setback along the western 598 feet of the south property line as approved by the Planning and Development Department.
4. ~~The property owner shall provide a 20-foot landscape setback along the southern 133 feet of the west property line as approved by the Planning and Development Department.~~

- ~~5. The property owner shall provide a 20-foot landscape setback along the north property line as approved by the Planning and Development Department.~~
46. Palm Lane access shall be gated and limited to secure access only as approved by the Planning and Development Department
57. The property owner shall provide sidewalk and incidentals on Coronado Road for the length of the property as approved by the Planning and Development Department.
68. The property owner shall remove all unused driveways and replace any broken or out-of-grade curb, gutter, and sidewalk on all streets as approved by the Planning and Development Department.
79. The developer shall update all existing off-site street improvements (sidewalks, curb ramps and driveways) to current ADA guidelines as approved by the Planning and Development Department.
840. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor International Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney
- ~~14. The driveway access along Palm Lane shall be restricted to left in/right out only as approved by the Planning and Development Department.~~
942. The sidewalk along the 44th Street frontage shall be detached with a minimum five-foot wide landscaped strip located between the sidewalk and back of curb as approved by the Planning and Development Department.
1043. The applicant shall dedicate an easement and construct a transit pad/bus shelter in accordance with Standard Detail P1260 along the west side of 44th Street, south of Palm Lane, as approved by the Planning and Development Department.
11. THE DEVELOPER SHALL PROVIDE SPEED BUMPS, SPEED HUMPS, TRUNCATED DOMES, OR OTHER SIMILAR ALTERNATIVES AT BOTH THE INGRESS AND EGRESS POINTS OF THE DRIVEWAY ALONG PALM LANE, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
12. THE DEVELOPER SHALL PROVIDE CONSPICUOUS SIGNAGE INDICATING THE PRESENCE OF CHILDREN AND MAINTENANCE OF LOW SPEEDS VISIBLE TO BOTH EASTBOUND AND WESTBOUND TRAFFIC ALONG PALM LANE, AS APPROVED BY THE PLANNING HEARING OFFICER.

13. THE DEVELOPER SHALL PROVIDE A DRIVEWAY AND SIGNAGE ALLOWING EASTBOUND-ONLY EGRESS ALONG CORONADO ROAD.

SECTION 2. Due to the site's specific physical conditions and the use district granted pursuant to Ordinance G-5941, this portion of the rezoning is now subject to the stipulations approved pursuant to Ordinance G-5941 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 29th day of August, 2018.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

REVIEWED BY:

____ City Manager

Exhibits:

A - Legal Description (2 Pages)

B - Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR PHO-1-18-- Z-61-13-8

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

Parcel No. 1:

Lot 7, Chicago Tract, according to Book 20 of Maps, Page 13, records of Maricopa County, Arizona;

Except the East 7 feet, thereof, as conveyed to the County of Maricopa, a political subdivision of the State of Arizona, in Quit-Claim Deed recorded April 24, 1956 in Docket 1885, Page 407, records of Maricopa County, Arizona; and

Except the West 10 feet of the East 17 feet of said Lot 7, as conveyed to the City of Phoenix, an Arizona municipal corporation in Warranty Deed recorded May 14, 1969 in Docket 7607, Page 294, records of Maricopa County, Arizona.

Parcel No. 2:

Lot 8, Chicago Tract, according to Book 20 of Maps, Page 13 records of Maricopa County, Arizona;

Except the East 7 feet, thereof, as conveyed to the County of Maricopa, a political subdivision of the State of Arizona, in Quit-Claim Deed recorded April 24, 1956 in Docket 1885, Page 403, records of Maricopa County, Arizona; and

Except the North 25 feet of said Lot 8, as conveyed to the City of Phoenix, an Arizona municipal corporation in Quit-Claim Deeds recorded October 25, 1966 in Docket 6280, Page 179 and Docket 6280, Page 180, records of Maricopa County, Arizona; and

Except the West 10 feet of said Lot 8, as conveyed to the City of Phoenix, an Arizona municipal corporation in Warranty Deed recorded April 4, 1969 in Docket 7549, Page 435, records of Maricopa County, Arizona; and

Except that part of said Lot 8, describes as follows:

Beginning at the Southwest corner of the North 25 feet of the East 17 feet of said Lot 8;

Thence Southerly, along the West line of said East 17 feet, 10 feet;

Thence Northwesterly to a point on the South line of said North 25 feet which is 10 feet West of the beginning;

Thence to the point of beginning, as conveyed to the City of Phoenix, an Arizona municipal corporation in Warranty Deed recorded April 4, 1969 in Docket 7549, Page 435 , records of Maricopa County, Arizona; and

Except that part of said Lot 8, described as follows:

Commencing at the Southwest corner of the North 25 feet of the East 17 feet of said Lot 8;

Thence South, along the West line of said East 17 feet, 10 feet to the true point of beginning;

Thence Northwesterly, along a line designated a Line "A", for the purposes of this description, to a point on the South line of said North 25 feet, which is 10 feet West of the aforesaid Southwest corner;

Thence West, along said South line to a line which is parallel with, and 5.5 feet Southwest of said Line "A", as measured at right angles, thereto;

Thence Southeast, along said parallel line to the aforesaid West line;

Thence North, along West line to the true point of beginning, as conveyed by the City of Phoenix, an Arizona municipal corporation in Quit-Claim Deed recorded October 6, 1970 in docket 8344, Page 404, records of Maricopa County, Arizona.

Parcel No. 3:

Lot 1, Griffith Square, according to Book 56 of Maps, Page 25, records of Maricopa County, Arizona;

Except that portion of said Lot 1 which was conveyed to the City of Phoenix, an Arizona municipal corporation in Warranty Deed recorded December 5, 1968 in Docket 7378, Page 264 , records of Maricopa County, Arizona, described as follows:

That part of said Lot 1 which lies East of that certain line described as follows:

Beginning at the intersection of the West line of the east 10 feet of said Lot 1 with the North line, thereof;

Thence Southerly, along said West line to the North line of the South 10 feet of said Lot 1;

Thence Southwesterly to the intersection of the West line of the East 20 feet of said Lot 1 with the South line, thereof, and the terminus of the herein described line.

Parcel No. 4:

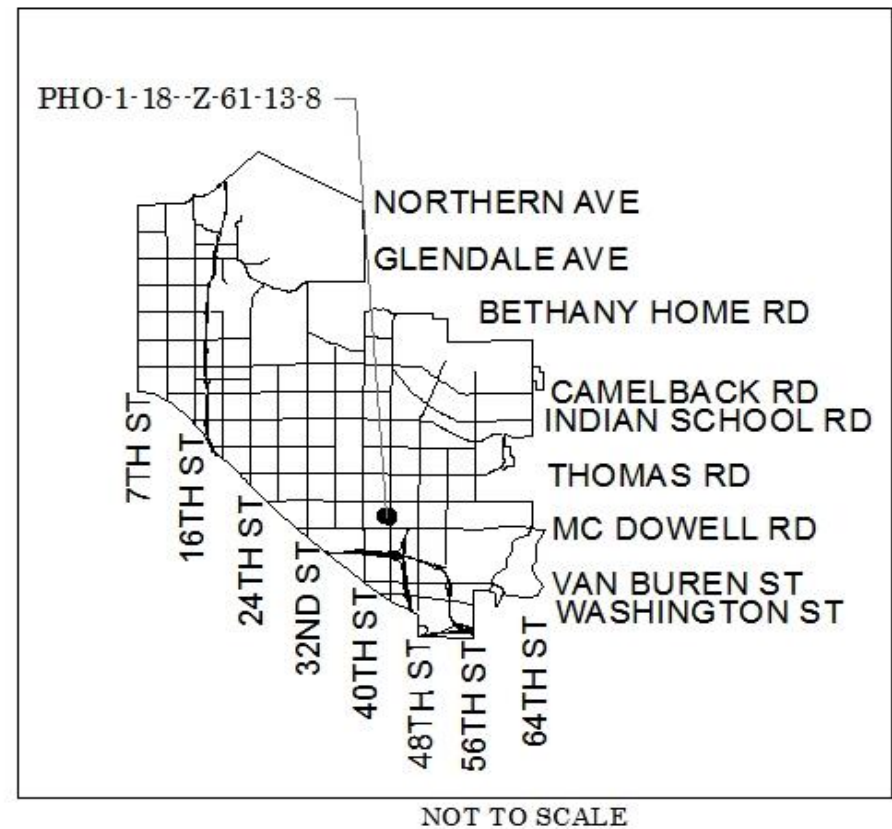
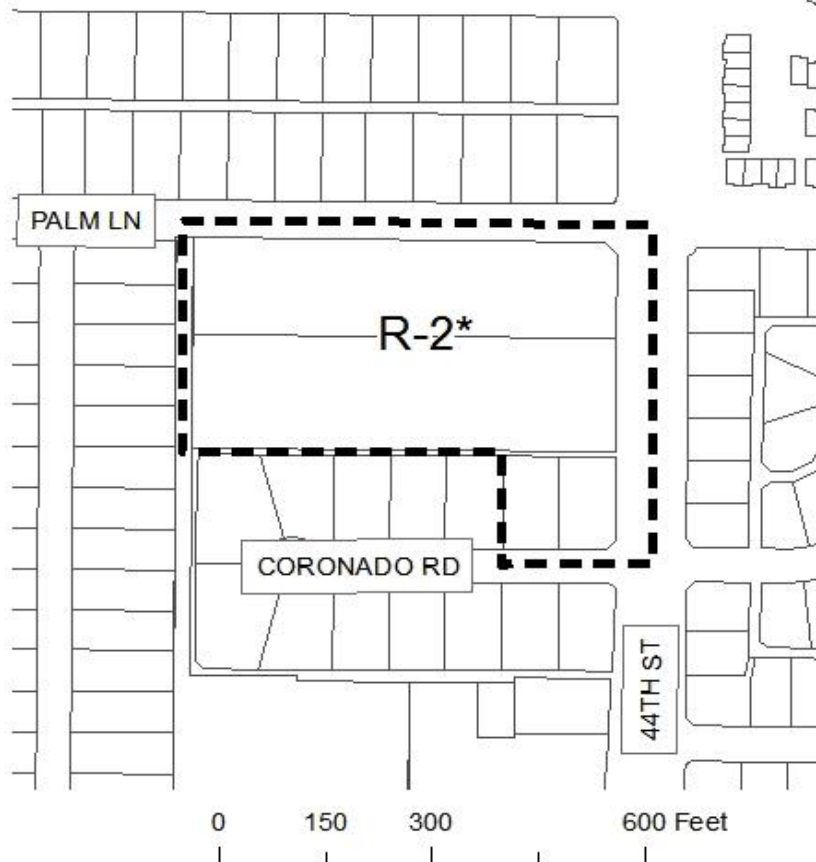
Lot 2, Griffith Square, according to Book 56 of Maps, Page 25, records of Maricopa County, Arizona.

ORDINANCE LOCATION MAP

EXHIBIT B

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

Zoning Case Number: PHO-1-18-Z-61-13-8
Zoning Overlay: N/A
Planning Village: Camelback East



Drawn Date: 7/20/2018