

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 (Z-133-24-3) FROM R-O (RESIDENTIAL OFFICE – RESTRICTED COMMERCIAL) TO PUD (PLANNED UNIT DEVELOPMENT).

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

SECTION 1. The zoning of a 3.69-acre property located at the northwest corner of Coral Gables Drive and Thunderbird Road in a portion of Section 18, Township 3 North, Range 3 East, as described more specifically in Exhibit “A,” is hereby changed from “R-O” (Residential Office – Restricted Commercial) 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 Thunderbird Townhomes PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped January 28, 2025, as modified by the following stipulations:
 - a. Front cover: Revise the submittal date information on the bottom to add the following: Hearing draft submittal: January 28, 2025; City Council adopted: [Add adoption date].
 - b. Page 5, Section D. Development and Landscape Standards, 1. Development Standards Table: Update the first column, fourth row to "Minimum Landscape Setback".
2. The existing bus pad on westbound Thunderbird Road shall be retained, as approved by the Planning and Development Department.
3. This parcel is in a Special Flood Hazard Area (SFHA) called Zone AE and AE floodway on panel 1730L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013. The following requirements shall apply, as approved by the Planning and Development Department:
 - a. The Architect and Engineer is required to show the floodplain boundary limits on the Site Plan and Grading and Drainage Plan and ensure that impacts to the proposed facilities have been considered, following the National Flood Insurance Program (NFIP) Regulations (44 CFR Paragraph 60.3). This includes, but not limited to provisions in the latest versions of the Floodplain Ordinance of the Phoenix City Code.
 - b. A copy of the Grading and Drainage Plan shall be submitted to the Floodplain Management section of Office of the City Engineer for review and approval of Floodplain requirements.
 - c. The developer shall provide a FEMA approved CLOMR-F or CLOMR prior to issuance of a Grading and Drainage permit.
4. Access onto Thunderbird Road shall comply with the conditions of the approved Traffic Impact Statement.
5. All mitigation improvements shall be constructed and/or funded as identified in the accepted Traffic Impact Statement dated November 15, 2024.

6. Replace unused driveways with sidewalk, curb, and gutter. Replace any broken or out-of-grade curb, gutter, sidewalk, and curb ramps on all streets and upgrade all off-site improvements to be in compliance with current ADA guidelines.
7. All streets within and adjacent to the development shall be constructed 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.
8. 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.
9. 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.
10. 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.
11. 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.

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 9th day of April, 2025.

MAYOR

ATTEST:

Denise Archibald, City Clerk

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

By:

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:

A – Legal Description (2 Pages)
B – Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR Z-133-24-3

A PORTION OF SECTION 18, TOWNSHIP 3 NORTH AND RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY ARIZONA;

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 18, FROM WHICH THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 18 BEARS NORTH 89 DEGREE 47 MINUTES 20 SECONDS A DISTANCE OF 1318.03 FEET;

THENCE ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 18 NORTH 00 DEGREES 04 MINUTES 30 SECONDS EAST A DISTANCE OF 33.89 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID WEST LINE NORTH 00 DEGREES 04 MINUTES 30 SECONDS EAST A DISTANCE OF 232.91 FEET

THENCE DEPARTING SAID WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 18 NORTH 70 DEGREES 55 MINUTES 40 SECONDS EAST A DISTANCE OF 270.12 FEET TO THE COMMON SOUTHERLY CORNER OF LOTS 1 AND 13 OF THE PLAT OF MOON VALLEY AS RECORDED IN BOOK 92 AND PAGE 2 OF THE OFFICIAL RECORDS OF MARICOPA COUNTY;

THENCE NORTH 89 DEGREES 47 MINUTES 20 SECONDS EAST ALONG THE SOUTH LINE OF LOT 1 OF SAID MOON VALLEY A DISTANCE OF 204.72 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1;

THENCE SOUTH 86 DEGREES 10 MINUTES 54 SECONDS EAST A DISTANCE OF 40 FEET TO A NON-TANGENT CURVE OF RADIUS 630.0 FEET BEING THE MONUMENT LINE OF CORAL GABLES DRIVE;

THENCE ALONG SAID CURVE CONCAVE SOUTHEAST AND OF RADIAL BEARING SOUTH 86 DEGREES 10 MINUTES 54 SECONDS EAST A DISTANCE OF 44.31 FEET THROUGH A CENTRAL ANGLE OF 4 DEGREES 01 MINUTES 50 SECONDS;

THENCE SOUTH 0 DEGREES 12 MINUTES 40 SECONDS EAST A DISTANCE OF 307.04 FEET ALONG THE CENTERLINE OF CORAL GABLES DRIVE;

THENCE SOUTH 89 DEGREES 47 MINUTES 20 SECONDS WEST A DISTANCE OF 190.0 FEET ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 18 TO A TANGENT CURVE TO THE RIGHT OF RADIUS 1432.40 FEET;

THENCE ALONG SAID CURVE A DISTANCE OF 312.29 THROUGH A CENTRAL
ANGLE OF 12 DEGREES 29 MINUTES 30 SECONDS TO THE POINT OF
BEGINNING.

DESCRIBED PARCEL CONTAINING 3.7210 ACRES

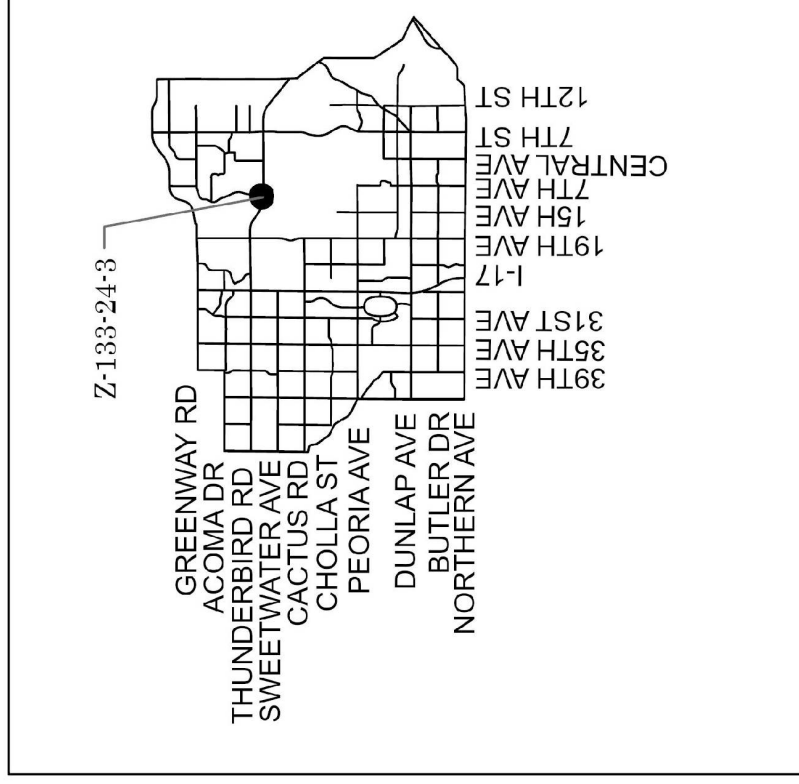
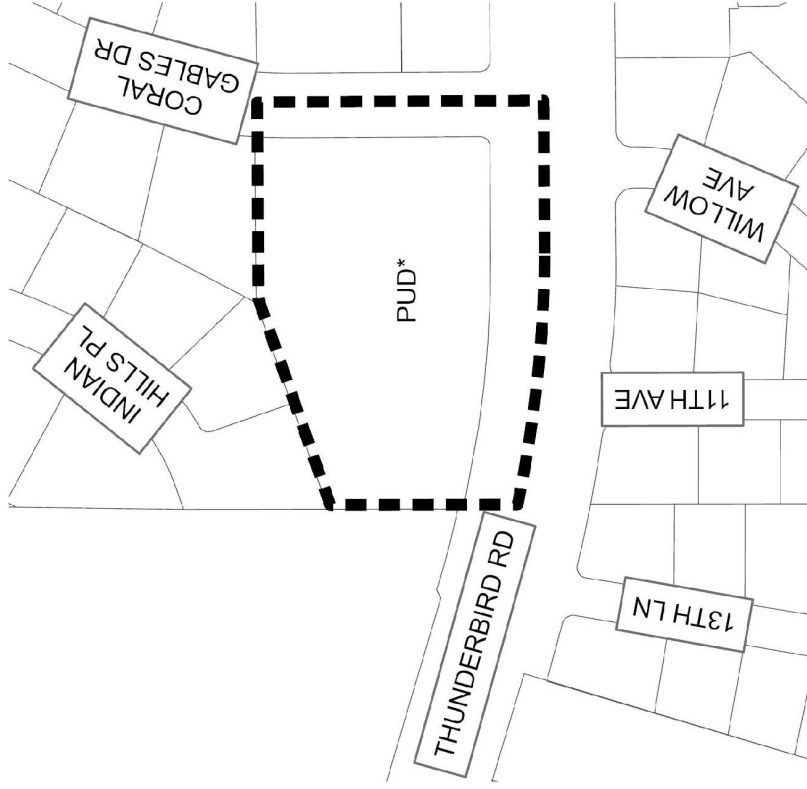
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ORDINANCE LOCATION MAP

EXHIBIT B

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

Zoning Case Number: Z-133-24-3
Zoning Overlay: N/A
Planning Village: North Mountain



NOT TO SCALE



Drawn Date: 3/7/2025