

ORDINANCE G-6271

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 (CASE Z-82-15-8) FROM S-1 BAOD (RANCH OR FARM RESIDENCE, BASELINE AREA OVERLAY DISTRICT) TO PUD BAOD (PLANNED UNIT DEVELOPMENT, BASELINE AREA OVERLAY DISTRICT).

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

follows:

SECTION 1. The zoning of an approximately 4.43 acre property located approximately 925 feet south of the southeast corner of 32nd Street and Southern Avenue in a portion of Section 36, Township 1 North, Range 3 East, as described more specifically in Exhibit "A," is hereby changed from "S-1 BAOD" (Ranch or Farm Residence, Baseline Area Overlay District) to "PUD BAOD (Planned Unit Development, Baseline Area Overlay District).

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:

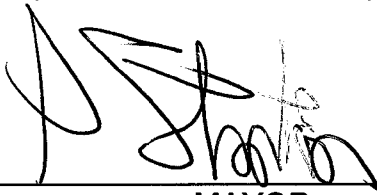
1. An updated Development Narrative for the Sonoran Heights Nurseries PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped November 8, 2016, as modified by the following stipulations:
 - a. Page 16, Development Standards Table: Create a new Table 1 titled "Residential Development Standards Table". Table 1 Column 1 should read: "RESIDENTIAL LAND USES". Table 1 Column 2 shall read: "ALL RESIDENTIAL LAND USES WILL COMPLY WITH SECTION 649 OF THE ZONING ORDINANCE". Revise Table of Contents, Section G numbering, and Exhibit A accordingly.
 - b. Page 16, Development Standards Table: Remove standards regarding residential building height and density from table. Revise Exhibit A accordingly.
 - c. Page 44, Exhibit H: Revise Title as follows: "Conceptual Site Plan – PROPOSED FUTURE CONDITIONS". Revise lot coverage calculations to include square footage of existing "break area ramada". Update Table of Contents accordingly.
 - d. Create new exhibit located before Exhibit H titled "CONCEPTUAL SITE PLAN – EXISTING CONDITIONS". Renumber Table of Contents and following exhibits accordingly.
2. The developer shall dedicate right-of-way totaling 40-feet for the east half of 32nd Street.
3. The developer shall dedicate a 10-foot sidewalk easement on the east half of 32nd Street.
4. The developer shall comply with Stipulations 4.a – 4.d at that point where development on the site results in a minimum lot coverage of 7.5%. Development shall comprise a single project or the sum of multiple projects and may include existing buildings, new construction, or expansions of existing structures.

- a. The developer shall tile and relocate the existing ditch along 32nd Street out of the public right-of-way as approved by the Planning and Development and Street Transportation Departments.
 - b. The developer shall provide half street improvements, 32 feet from monument line to face of curb for the east side of 32nd Street. Improvements shall include paving, curb, gutter, detached sidewalk, ramps, streetlights, landscaping and other incidentals as per plans approved by the City. All improvements shall comply with all ADA accessibility standards.
 - c. The developer shall provide tapers from the permanent improvements to the existing pavement on 32nd Street as approved by the Street Transportation Department.
 - d. The developer shall provide a sidewalk and transit pad along 32nd Street. The transit pad should be located approximately 1,320-feet south of Southern Avenue and built according to City of Phoenix Standard Detail P1260 and as approved by the Planning and Development, Street Transportation, and Transit Departments.
5. Depending upon the extent of ground disturbance, the developer shall conduct archaeological monitoring and/or testing within all areas of the development that lie within 250 feet of the plotted boundary of the archaeological site of Las Canopas. Archaeological monitoring shall be conducted during grubbing, landscape salvage, and/or grading, or prior to those activities if it is determined that archaeological testing shall be conducted. The determination as to whether to conduct archaeological monitoring and/or testing must be made by a qualified archaeologist in cooperation with the City of Phoenix Archaeologist.
 6. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground disturbing activities within a 10-meter (33-foot) radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
 7. The property owner shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence, and operational characteristics of City of Phoenix Sky Harbor International Airport (PHX) 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.
 8. For any residential development, a conceptual site plan and elevations shall be reviewed and approved by the Planning Hearing Officer through the public hearing process prior to preliminary site plan approval. This is a legislative review for conceptual purposes only. Specific development standards and

requirements may be determined by the Planning Hearing Officer and the Planning and Development Department.

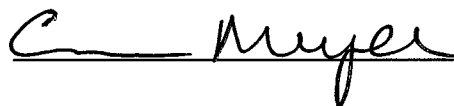
SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 1st day of February, 2017.



MAYOR

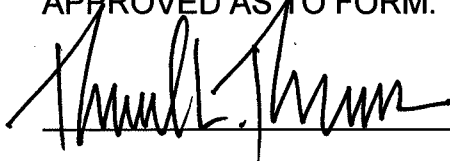
ATTEST:



City Clerk

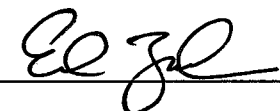


APPROVED AS TO FORM:



Acting City Attorney pm

REVIEWED BY:



City Manager

PL:tml:LF16-1465:Item#73:02/01/17:1286879v1

Exhibits:

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

EXHIBIT A

LEGAL DESCRIPTION FOR Z-82-15-8

THAT PORTION OF SECTION 36, TOWNSHIP 1 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA DESCRIBED AS:

THE SOUTH HALF OF THE SOUTH HALF OF LOT 40, BARTLETT HEARD LANDS, ACCORDING TO BOOK 13 OF MAPS, PAGE 35, RECORDS OF MARICOPA COUNTY, ARIZONA;

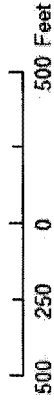
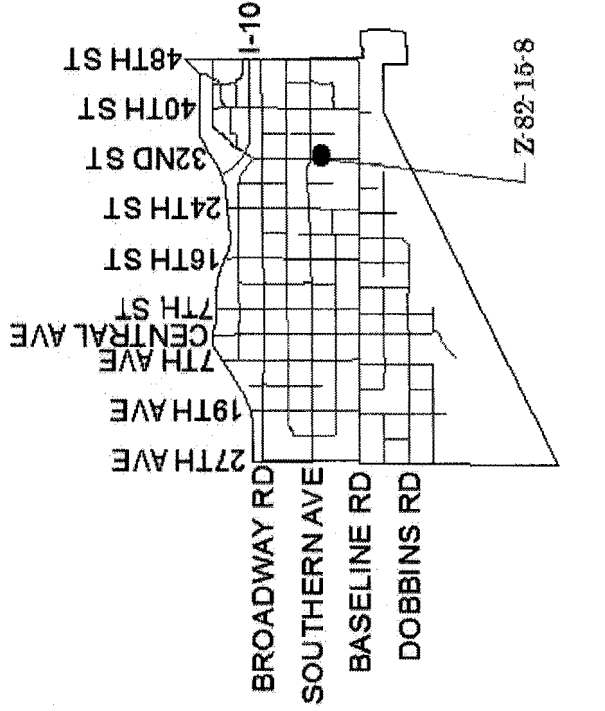
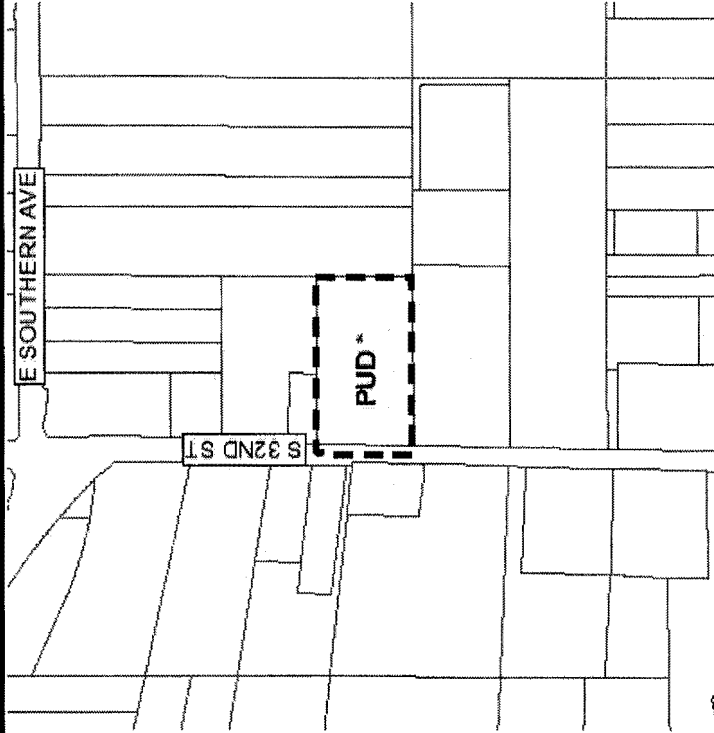
EXCEPT THE WEST 30 FEET.

ORDINANCE LOCATION MAP

EXHIBIT B

Zoning Case Number: Z-82-15-8
Zoning Overlay: BAOD
Planning Village: South Mountain

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



NOT TO SCALE



Drawn Date: 1/6/2017

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