

ORDINANCE G-6762

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-12-20-7) FROM R1-8 (SINGLE-FAMILY RESIDENCE DISTRICT), R-2 (MULTIFAMILY RESIDENCE DISTRICT), R-3A (MULTIFAMILY RESIDENCE DISTRICT), C-1 (NEIGHBORHOOD RETAIL), AND C-2 HGT/WVR (INTERMEDIATE COMMERCIAL, HEIGHT WAIVER) TO PUD (PLANNED UNIT DEVELOPMENT).

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

follows:

SECTION 1. The zoning of a 71.75 acre site located at the northwest corner of 59th Avenue and Baseline Road in a portion of Section 31, Township 1 North, Range 2 East, as described more specifically in Exhibit "A," is hereby changed from 0.57 acres of "R1-8" (Single-Family Residence District), 0.41 acres of "R-2" (Multifamily Residence District), 18.72 acres of "R-3A" (Multifamily Residence District), 3.12 acres of "C-1" (Neighborhood Retail), and 48.93 acres of "C-2 HGT/WVR" (Intermediate Commercial, Height Waiver) to 71.75 acres of "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 Laveen Spectrum 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 August 21, 2020, as modified by the following stipulations:
 - a. Front cover: Revise the submittal date information on the bottom to add the following: Fourth submittal: August 21, 2020; City Council adopted: [Add adoption date].
 - b. Page 25, Table 3, Trees: Trees in streetscape landscape areas along Baseline Road shall be minimum 50 percent 2-inch caliper, 25 percent 3-inch caliper, and 25 percent 4-inch caliper.
 - c. Page 17, Table 2: Development Standards, Minimum Open Space: Revise to reflect that residential uses in Development Sub-Areas 2 and 3 with densities not exceeding 14 units per gross acre shall have a minimum of 15 percent open space based on net site area.
 - d. Page 14, Development Sub-Area 2 Land Uses: Revise formatting to reflect community garden being a standalone permitted use.
 - e. Pages 72 through 78: Appendix K, Perimeter Design Corridor Supplement to the PUD Narrative: This exhibit shall be replaced with the Perimeter Design Corridor Supplement dated September 2020.
 - f. Page 58, Appendix F, Comparative Zoning Table for Residential Uses, Proposed Column, Minimum Open Space: Revise to reflect that residential uses with densities not exceeding 14 units per gross acre shall have a minimum of 15 percent open space based on net site area.

2. The developer shall dedicate right-of-way and construct one bus stop pad along westbound Baseline Road west of the 59th Avenue alignment. The bus stop pad shall be constructed according to City of Phoenix Standard Detail P1262 with a minimum depth of 10 feet. The bus stop pad shall be spaced from the intersection of 59th Avenue and Baseline Road according to City of Phoenix Standard Detail P1258.
3. The developer shall dedicate right-of-way and construct one bus stop pad along southbound 59th Avenue south of the Carson Road alignment. The bus stop pad shall be constructed according to City of Phoenix Standard Detail P1262 with a minimum depth of 10 feet. The final bus stop pad placement to be approved by the Public Transit Department.
4. The developer shall dedicate right-of-way and construct one bus stop pad along southbound 59th Avenue south of the Vineyard Road alignment. The bus stop pad shall be constructed according to City of Phoenix Standard Detail P1262 with a minimum depth of 10 feet. The final bus stop pad placement to be approved by the Public Transit Department.
5. The developer shall dedicate minimum 80-foot right-of-way for the west half of 59th Avenue tapering to the north, as approved by the Street Transportation Department.
6. The developer is fully responsible for any relocation or modification of the traffic signal at 59th Avenue and Baseline Road.
7. Existing irrigation facilities along any existing or proposed right-of-way are to be undergrounded and/or relocated outside of City right-of-way. Contact SRP to identify existing land rights and establish appropriate process to relocate facility. Relocations that require additional dedications or land transfer require completion prior to obtaining plat and/or civil plan review approval.
8. The applicant shall submit a Traffic Impact Study/Statement to the City for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City.
9. 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.

10. 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.
11. 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.
12. 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.
13. Developer shall provide notice to the Chair of the Laveen Village Planning Committee upon submittal of a preliminary site plan application to the Planning and Development Department for each individual development project. The notice shall include a copy of the preliminary site plan submittal and the date and time of the preliminary site plan public review meeting with Planning and Development Department staff.
14. Concurrent with the development of the first individual development project within a development sub-area, all required streetscape zone perimeter setback landscaping for the entire development-sub-area must be installed.
15. 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.

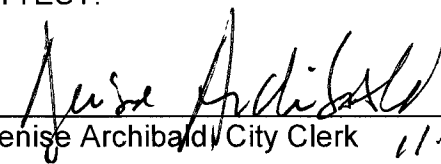
SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 4th day of November,
2020.



MAYOR

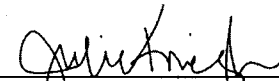
ATTEST:



Denise Archibald, City Clerk 11-12-2020



APPROVED AS TO FORM:
Cris Meyer, City Attorney

By: 

Julie Kriegh, Chief Assistant City Attorney *Pml*

REVIEWED BY:



Ed Zuercher, City Manager

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

EXHIBIT A

LEGAL DESCRIPTION FOR Z-12-20-7

A portion of those certain parcels of land described in Documents No. 2002-0755943 and 2003-1298633, Maricopa County Records, lying within the southeast quarter of Section 31, Township 1 North, Range 2 East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

Commencing at the southeast corner of said Section 31, a cotton picker spindle with tag LS 38862, from which the east quarter corner of said Section, a Maricopa County aluminum cap, bears North 00 degrees 41 seconds 54 minutes West, a distance of 2635.08 feet;

Thence along the east line of the southeast quarter of said Section, North 00 degrees 41 minutes 54 seconds West, a distance of 107.00 feet, to the northerly right-of-way line of Baseline Road and to the Point of **Beginning**;

Thence leaving said east line, along said northerly right-of-way line, South 89 degrees 47 minutes 53 seconds West, a distance of 85.00 feet;

Thence South 44 degrees 33 minutes 07 seconds West, a distance of 42.24 feet;

Thence South 89 degrees 47 minutes 53 seconds West, a distance of 467.78 feet;

Thence North 00 degrees 12 minutes 07 seconds West, a distance of 1.00 feet;

Thence North 85 degrees 44 minutes 03 seconds West, a distance of 164.14 feet;

Thence North 88 degrees 20 minutes 56 seconds West, a distance of 284.92 feet, to the easterly right-of-way line of State Route 202L;

Thence leaving said northerly right-of-way line, along said easterly right-of-way line, North 00 degrees 51 minutes 44 seconds West, a distance of 288.45 feet;

Thence North 08 degrees 23 minutes 18 seconds West, a distance of 1675.18 feet;

Thence North 09 degrees 37 minutes 00 seconds West, a distance of 576.04 feet;

Thence North 08 degrees 22 minutes 24 seconds West, a distance of 20.68 feet, to the north line of the southeast quarter of said Section 31;

Thence leaving said easterly right-of-way line, along said north line, North 89 degrees 48 minutes 41 seconds

East, a distance of 1348.06 feet, to the east line of the southeast quarter of said Section 31;

Thence leaving said north line, along said east line, South 00 degrees 41 minutes 54 seconds East, a distance of 2528.08 feet, to the **Point of Beginning**.

Containing 2,974,956 Square Feet or 68.30 Acres more or less.

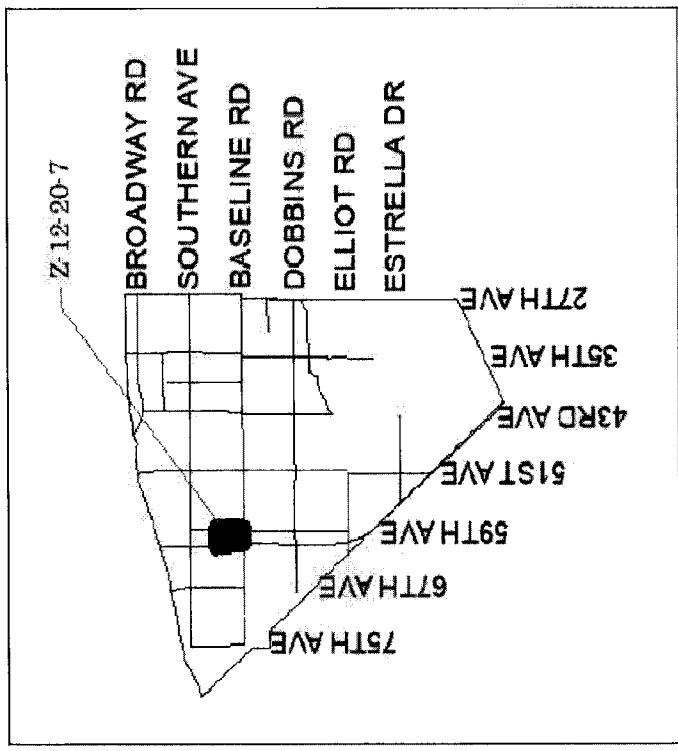
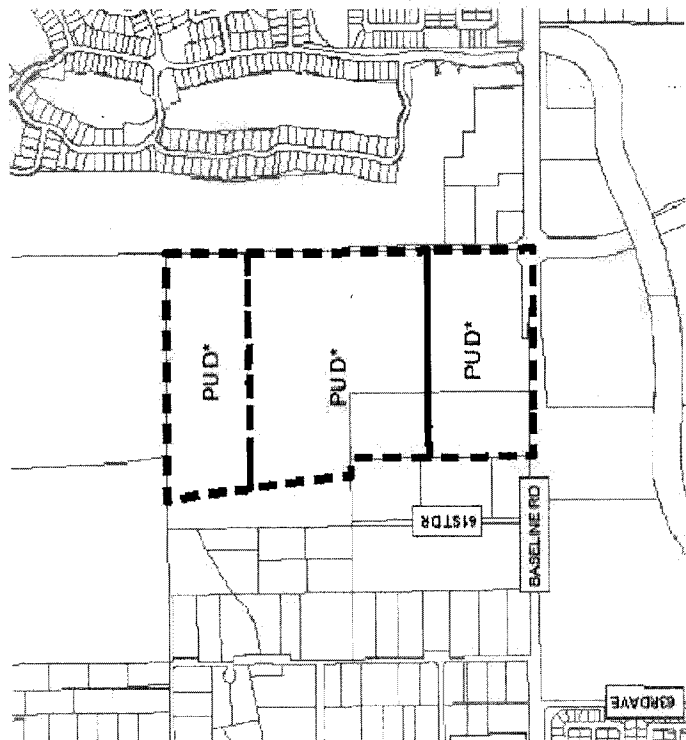
Subject to easements, restrictions and rights of way of record.

EXHIBIT B

ORDINANCE LOCATION MAP

Zoning Case Number: Z-12-20-7
Zoning Overlay: N/A
Planning Village: Laveen

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



NOT TO SCALE

Drawn Date: 10/5/2020

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