

ORDINANCE G-6494

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-50-16-8) FROM S-1 BAOD (RANCH OR FARM RESIDENCE DISTRICT, BASELINE AREA OVERLAY DISTRICT), S-1 BAOD (APPROVED MUA BAOD) (RANCH OR FARM RESIDENCE DISTRICT, BASELINE AREA OVERLAY DISTRICT (APPROVED MIXED USE AGRICULTURAL DISTRICT, BASELINE AREA OVERLAY DISTRICT)), AND R1-18 SP BAOD (SINGLE-FAMILY RESIDENCE DISTRICT, SPECIAL PERMIT, 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 30.42 acre property located approximately 480 feet east of the southeast corner of 32nd Street and Baseline Road in a portion of Section 1, Township 1 South, Range 3 East, as described more specifically in Exhibit "A", is hereby changed from "S-1 BAOD" (Ranch or Farm Residence District, Baseline Area Overlay District), "S-1 BAOD (Approved MUA BAOD)" (Ranch or Farm Residence District, Baseline Area Overlay District (Approved Mixed Use Agricultural District, Baseline Area Overlay District)), and "R1-18 SP BAOD"

(Single-Family Residence District, Special Permit, 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 Gardener’s Enclave 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 May 22, 2018, as modified by the following stipulations:
 - a. Page 19, Section F.2.c, 1st Sentence: Replace with the following: “The following commercial accessory uses are permitted in the commercial component of the PUD area as defined on the Conceptual Land Use Plan.”
 - b. Page 22, Projections, Closed Projections: Add text to development standard as follows and update Comparison Reference Table accordingly: “These provisions shall not apply to front-loaded garages.”
 - c. Page 32, Section H.3.a, 2nd & 3rd Sentence: Replace with the following: “Architectural styles permitted within Gardener’s Enclave shall include a minimum of three of the following options: Farmhouse, Craftsman, Prairie and/or Ranch style homes. Architectural styles prohibited include Tuscan or Spanish styles which have dominated the surrounding vicinity. Elevations shall be reviewed and approved by the Single-Family Design Advisor for compliance with these design guidelines.”
 - d. Page 44, Section H.10, Last Sentence: Update minimum required sustainability practices from two to three.

- e. Page 59, Landscape Development Standards (Commercial), Trees (Baseline Road): Delete standard: "Fifty (50) feet".
 - f. Renumber the Table of Contents to make Section H.12 the new Section I, renumber Sections H.12.a-e to I.1-5, make Section H.8.f the new Section I.6, make Section H.13 the new Section J, and update the PUD text accordingly.
2. Building elevations shall be reviewed and approved by the Single-Family Design Advisor for compliance with the Design Guidelines of the PUD, with specific regard to the building style requirements in Section H.3, Architecture and Building Materials, of the PUD Development Narrative.
 3. The developer shall dedicate a 30-foot wide multi-use trail easement (MUTE) along the south side of Baseline Road and construct a minimum 10-foot wide multi-use trail (MUT) within the easement, in accordance with the MAG supplemental detail and as approved by the Parks and Recreation and Planning and Development Departments.
 4. 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. Nothing in this stipulation shall be construed to require improvements that may be modified or waived by the Subdivision Committee upon approval of a technical appeal or by the approval of a zoning adjustment.
 5. The property owner shall record documents that disclose the existence, and operational characteristics 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.
 6. 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.

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 5th day of September,

2018.



Thelda Williams

MAYOR

ATTEST:

[Signature]

Acting City Clerk

APPROVED AS TO FORM:

[Signature]

Acting City Attorney *pml*

REVIEWED BY:

[Signature]

City Manager

PL:tml:LF18-2390:09/05/18:2063832v1

Exhibits:

A – Legal Description (1 Page)

B – Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR Z-50-16-8

THE WEST HALF OF LOT 7 AND THE EAST HALF OF LOT 8, SECTION 1, TOWNSHIP 1 SOUTH, RANGE 3 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, ACCORDING TO SUPPLEMENTAL PLAT OF SECTION 1, TOWNSHIP 1 SOUTH, RANGE 3 EAST, MARICOPA COUNTY, ARIZONA, BY UNITED STATES SURVEYOR GENERAL DATED JANUARY 3, 1918.

COMMENCING AT A FOUND PK NAIL AT THE WEST QUARTER CORNER OF SAID SECTION 1, FROM WHICH A FOUND ¾" IRON PIPE AT THE CENTER OF SAID SECTION 1 BEARS SOUTH 89 DEGREES 32 MINUTES 49 SECONDS EAST, A DISTANCE OF 2671.48 FEET;

THENCE NORTH 01 DEGREES 04 MINUTES 29 SECONDS EAST, ALONG THE WEST LINE OF SAID SECTION 1, A DISTANCE OF 1315.03 FEET TO A FOUND BRASS CAP FLUSH;

THENCE SOUTH 89 DEGREES 43 MINUTES 43 SECONDS EAST, LEAVING SAID WEST SECTION LINE, A DISTANCE OF 1000.61 FEET TO THE **POINT OF BEGINNING** OF THE PARCEL HEREIN DESCRIBED;

THENCE NORTH 01 DEGREES 01 MINUTES 14 SECONDS EAST, A DISTANCE OF 1,323.63 FEET TO A POINT ON THE MONUMENT LINE OF BASELINE ROAD;

THENCE SOUTH 89 DEGREES 55 MINUTES 00 SECONDS EAST, ALONG SAID MONUMENT LINE, A DISTANCE OF 666.28 FEET;

THENCE SOUTH 00 DEGREES 59 MINUTES 06 SECONDS WEST, LEAVING SAID MONUMENT LINE, A DISTANCE OF 1,325.81 FEET;

THENCE NORTH 89 DEGREES 43 MINUTES 43 SECONDS WEST, A DISTANCE OF 333.54 FEET TO A FOUND BRASS CAP FLUSH;

THENCE CONTINUING NORTH 89 DEGREES 43 MINUTES 43 SECONDS WEST, A DISTANCE OF 333.54 FEET TO THE **POINT OF BEGINNING** OF THE PARCEL HEREIN DESCRIBED.

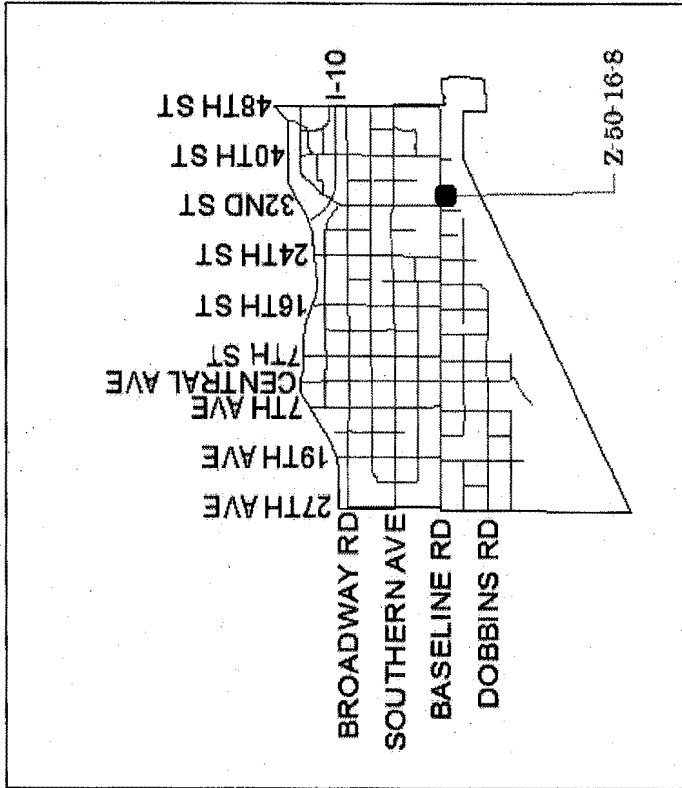
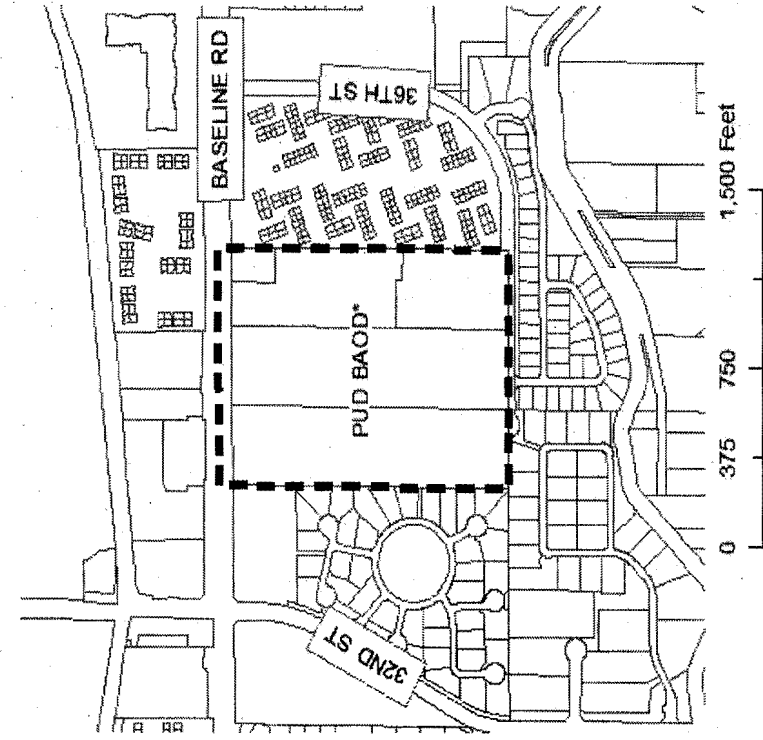
SAID PARCEL CONTAINS 883,065 SQUARE FEET OR 20.272 ACRES, MORE OR LESS.

EXHIBIT B

ORDINANCE LOCATION MAP

Zoning Case Number: Z-50-16-8
Zoning Overlay: Baseline Area Plan and Overlay District
Planning Village: South Mountain

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



Drawn Date: 8/3/2018

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