

ORDINANCE G-6218

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-15-16-8) FROM R1-14 BAOD (ONE-FAMILY RESIDENCE, BASELINE AREA OVERLAY DISTRICT) TO PUD BAOD (PLANNED UNIT DEVELOPMENT, BASELINE AREA OVERLAY DISTRICT) WITH ALL UNDERLYING USES.

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

follows:

SECTION 1. The zoning of an approximately 24.78 acre property located at the northwest corner of 32nd Street and Highline Canal in a portion of Section 2, Township 1 South, Range 3 East, as described more specifically in Attachment "A," is hereby changed from "R1-14 BAOD" (One-Family 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 Attachment "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 Navarro Groves 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 July 26, 2016, as modified by the following stipulations:
 - A. Revise all graphics and references to fences and walls (including Section H.1 and Figures 7, 8, and 10) to provide a minimum of 2-feet of view fencing over 4-feet of solid wall for the rear yards of Lots 4-17, as approved by the Planning and Development Department.
 - B. Create a new Section H.4 titled "Residential Driveway Standards." Renumber existing Sections H.4-H.10 accordingly. This section shall read: "Single-family residential driveways shall be constructed of a decorative brick, interlocking concrete paver, or other alternative surface compatible with an agricultural or rural character as approved by the Planning and Development Department. Alternative surfaces will comply with the City of Phoenix alternative dustproofing regulations."
 - C. Create a new section H.5 titled "Project Entry – Curbing." Renumber existing Sections H.5-H.10 accordingly. This section shall read: "ribbon curbing shall be provided along all sides of the driveways in the project entry as depicted in Figure 12."
2. The developer shall update all existing off-site street improvements (sidewalks, curb ramps, and driveways) to current ADA guidelines.
3. The developer shall dedicate a 30-foot wide multi-use trail easement (MUTE) along the west side of 32nd Street and construct a multi-use trail within the easement as indicated in Section 429 of the City of Phoenix MAG Supplement, and as approved by the Parks and Recreation Department and Planning and Development Department.
4. 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.

5. The developer shall provide an approximately 10-foot wide private irrigation pipeline easement within the multi-use trail easement (MUTE) as required in Stipulation 3, as approved by the Planning and Development Department.
6. Prior to final site plan approval, the property owner shall record documents that disclose to purchasers of the property the existence and operational characteristics of nearby irrigation and farming activities that may cause adverse noise, odors, dust, and other impacts. 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.

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 October, 2016.



Kelly G.

 ACTING MAYOR

ATTEST:

C. Meyer

 City Clerk

APPROVED AS TO FORM:

William J. ...

 Acting City Attorney pm

REVIEWED BY:

Walter Doherty Jr.

 ACTING
 City Manager
 PML:cz:1262608_1: (CM #43)(Kerr #77) - 10/5/16

Attachments:

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

ATTACHMENT A

LEGAL DESCRIPTION FOR Z-15-16-8

THAT PORTION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 1 SOUTH, RANGE 3 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, LYING NORTH OF THE NORTHERLY RIGHT OF WAY LINE OF THE HIGHLINE CANAL AS DESCRIBED IN DEED BOOK 122, PAGE 33 OF MARICOPA COUNTY RECORDS.

SAID PARCEL MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 2, BEING MARKED BY A CITY OF PHOENIX BRASS CAP FLUSH, FROM WHICH THE EAST QUARTER CORNER OF SAID SECTION 2 BEARS SOUTH 01 DEGREE 12 MINUTES 40 SECONDS WEST AT A DISTANCE OF 1315.08 FEET.

THENCE SOUTH 01 DEGREE 12 MINUTES 40 SECONDS WEST, ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 2, 838.90 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF HIGHLINE CANAL AS DESCRIBED IN DEED BOOK 122, PAGE 33 OF MARICOPA COUNTY RECORDS;

THENCE THE FOLLOWING COURSES ALONG SAID NORTHERLY RIGHT OF WAY LINE OF HIGHLINE CANAL:

SOUTH 82 DEGREES 34 MINUTES 05 SECONDS WEST 84.22 FEET TO THE BEGINNING OF A CURVE HAVING A RADIUS OF 253.00 FEET;

THENCE ALONG THE ARC OF SAID CURVE 91.97 FEET THROUGH A CENTRAL ANGLE OF 20 DEGREES 49 MINUTES 45 SECONDS;

THENCE NORTH 76 DEGREES 30 MINUTES 55 SECONDS WEST 295.77 FEET TO THE BEGINNING OF A CURVE HAVING A RADIUS OF 323.00 FEET;

THENCE ALONG THE ARC OF SAID CURVE 194.29 FEET THROUGH A CENTRAL ANGLE OF 34 DEGREES 27 MINUTES 54 SECONDS;

THENCE SOUTH 68 DEGREES 52 MINUTES 05 SECONDS WEST 65.15 FEET TO THE BEGINNING OF A CURVE HAVING A RADIUS OF 158.00 FEET;

THENCE ALONG THE ARC OF SAID CURVE 108.10 FEET THROUGH A CENTRAL ANGLE OF 39 DEGREES 12 MINUTES 05 SECONDS;

THENCE NORTH 71 DEGREES 29 MINUTES 55 SECONDS WEST 159.57 FEET TO THE BEGINNING OF A CURVE HAVING A RADIUS OF 228.00 FEET;

THENCE ALONG THE ARC OF SAID CURVE 190.83 FEET THROUGH A CENTRAL ANGLE OF 47 DEGREES 57 MINUTES 14 SECONDS;

THENCE SOUTH 60 DEGREES 07 MINUTES 05 SECONDS WEST 89.24 FEET TO THE BEGINNING OF A CURVE HAVING A RADIUS OF 324.00 FEET;

THENCE ALONG THE ARC OF SAID CURVE 85.49 FEET THROUGH A CENTRAL ANGLE OF 15 DEGREES 07 MINUTES 04 SECONDS TO THE INTERSECTION OF

THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 2;

THENCE LEAVING SAID NORTHERLY RIGHT OF WAY LINE OF HIGHLINE CANAL, NORTH 01 DEGREES 04 SECONDS 53 MINUTES EAST, ALONG SAID WEST LINE

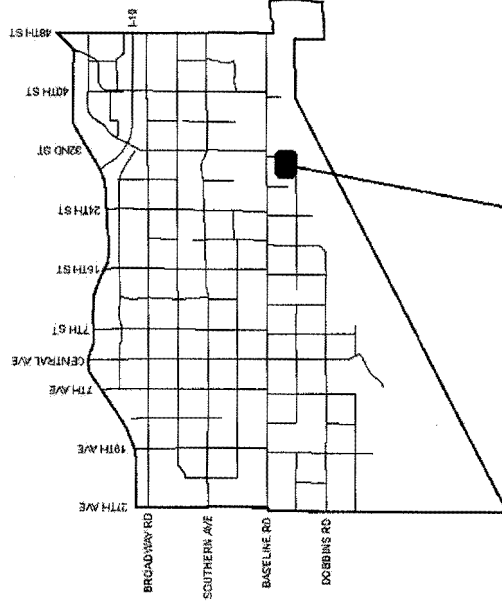
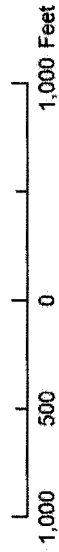
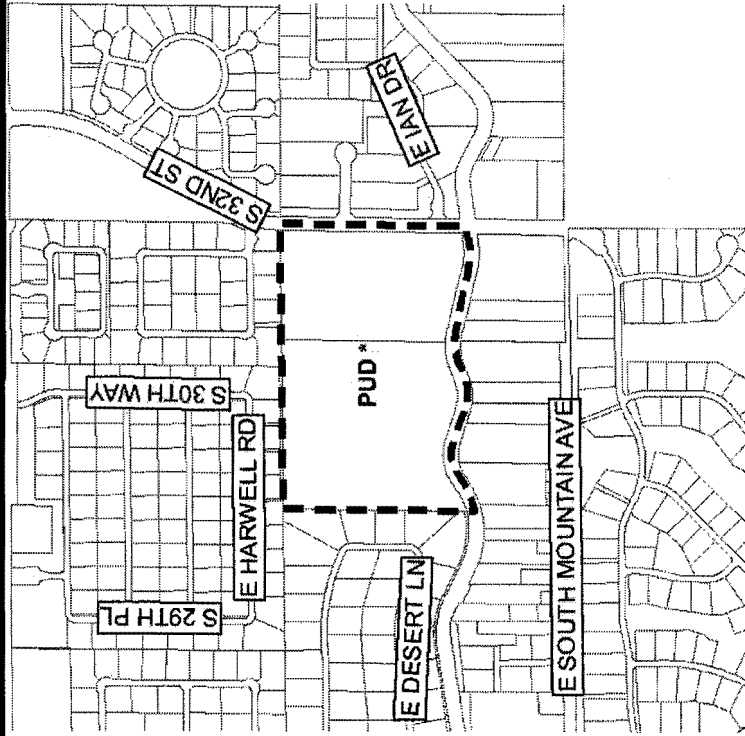
855.61 FEET TO THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 2;
THENCE ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 2, NORTH 89 DEGREES 51 MINUTES 49 SECONDS EAST 1313.82 FEET TO THE POINT OF BEGINNING.

ORDINANCE LOCATION MAP

ATTACHMENT B

Zoning Case Number: Z-15-16-8
 Zoning Overlay: Baseline Area
 Planning Village: South Mountain

ZONING SUBJECT TO STIPULATIONS: *
 SUBJECT AREA: ■■■■■



Z-15-16-8

NOT TO SCALE

Drawn Date: 9/8/2016

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