

ORDINANCE G-7123

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 PARCELS DESCRIBED HEREIN (CASE Z-21-22-2) FROM PCD NBCOD (PLANNED COMMUNITY DISTRICT, NORTH BLACK CANYON OVERLAY DISTRICT), APPROVED C-2 OR CP M-R PCD NBCOD (APPROVED INTERMEDIATE COMMERCIAL OR COMMERCE PARK DISTRICT, MID-RISE DISTRICT, PLANNED COMMUNITY DISTRICT, NORTH BLACK CANYON OVERLAY DISTRICT) TO PUD NBCOD (PLANNED UNIT DEVELOPMENT, NORTH BLACK CANYON OVERLAY DISTRICT).

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

SECTION 1. The zoning of an 7.53-acre site located approximately 170 feet west of the southwest corner of North Valley Parkway and Dove Valley Road in a portion of Section 14, Township 5 North, Range 2 East, as described more specifically in Exhibit "A," is hereby changed from "PCD NBCOD (Approved C-2 or CP M-R PCD NBCOD)" (Planned Community District, North Black Canyon Overlay District) (Approved Intermediate Commercial or Commerce Park District, Mid-Rise District, Planned Community District, North Black Canyon Overlay District) to "PUD NBCOD" (Planned Unit Development, North Black Canyon 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 Alta Dove Valley 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 March 28, 2023, as modified by the following stipulations:
  - a. Front cover: Revise the submittal date information on the bottom to add the following: City Council adopted: [Add adoption date].
  - b. Page 9, Development Standards, 1st paragraph: Change paragraph to read "Except where modified below, this PUD shall comply with the North Black Canyon Overlay District (Section 654), the R-5 Multifamily Residence District, Table B, (a) Subdivision Development Option outlined in Section 618, the parking standards outlined in Section 702, and the landscaping and open space standards outlined in Section 507 Tab A and Section 703 of the Phoenix Zoning Ordinance. Any commercial uses provided shall be located on the ground floor of the multifamily residential building and shall comply with the same development standards as the multifamily residential building."
  - c. Page 9, Development Standards, Common Open Space/Amenity Areas: Start the header on the next page.

- d. Page 10, Development Standards, Parking Standards, Parking Spaces (bicycles), 2nd paragraph: Replace the paragraph as follows:

A bicycle repair station ("fix it station") shall be provided and maintained on site within an amenity area or near a primary site entrance. The bicycle repair station ("fix it station") shall be provided in an area of high visibility and separated from vehicular maneuvering areas, where applicable. The repair station shall include, but not be limited to:

- i. Standard repair tools affixed to the station
- ii. A tire gauge and pump affixed to the base of the station or the ground
- iii. A bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike

- e. Page 14, Development Standards, Sidewalk and Pedestrian Pathway Standards, Pedestrian Connection Pathway to Commercial Center to the West of this Site: Align second column with columns above and change "sidewalk" to "Pathway".

- f. Pages 14-15, Design Guidelines, Exterior Materials: Add "The exterior perimeter building elevations shall be finished with an average maximum of 60% stucco material".

- g. Page 15, Design Guidelines, Exterior Materials, 3rd paragraph (Exposed areas of the parking garage walls...): Replace the third paragraph as follows:

Exposed areas of the parking garage walls shall be decoratively screened with metal trellises, architectural metal panels and extrusions, translucent glazing, decorative lighting, and/or other architectural screening materials that will add texture, depth, shadow lines, create visual interest for pedestrians, and enhance the public right-of-way.

- h. Page 15, Design Guidelines, Exterior Materials, 4th paragraph (Where pedestrian walkways cross...): Add a new header for this paragraph named "Pedestrian Crossing Pavement Material".

- i. Page 17, Pedestrian Circulation and Connectivity, 2nd paragraph (An east-west minimum 5-foot-wide concrete...): Add at the end of the last sentence ", located near the center of the west property line."

- j. Pages 38-44, Development Standards Comparison Table: Update the R-5 (Subdivision) column to include information for each standard on what the minimum Phoenix Zoning Ordinance requirements would be to compare to what the PUD is providing.
- 2. A 30-foot-wide multi-use trail easement (MUTE) shall be dedicated along the north property line, adjacent to Dove Valley Road, and a minimum 10-foot-wide multi-use trail (MUT) shall be constructed within the easement in accordance with the MAG supplemental detail and as approved by the Planning and Development Department.
- 3. The developer shall dedicate a minimum of 70-feet of right-of way and construct the south side of Dove Valley Road, including detached sidewalks, as required by the approved Canyon Crossroads Master Street Plan.
- 4. The developer shall dedicate a minimum of 30-feet of right-of-way and a minimum 10-foot-wide sidewalk easement and construct the north side of the new collector street (Commitment Way) along the property's southern boundary, as approved by the Planning and Development Department.
- 5. The developer shall construct minimum 5-foot-wide detached sidewalk and minimum 8-foot-wide landscape area located between the back of curb and sidewalk for the north side of the new collector street (Commitment Way), as approved by the Planning and Development Department.
- 6. The developer shall provide \$115,000 in escrow to fund a traffic control device along Dove Valley Road to serve the property, prior to final site plan approval and as approved by the Street Transportation Department.
- 7. The developer shall extend the existing median island west to the west full access location at the western edge of this development. Landscaping shall be provided in the 24-foot-wide median island with minimum 3-inch caliper, large canopy, drought-tolerant shade trees planted 20 feet on center or in equivalent groupings and shrubs, accents and vegetative ground covers to achieve a minimum of 75% live coverage at maturity, as approved by the Planning and Development Department and Street Transportation Department.
- 8. The applicant shall submit a Traffic Impact Study to the City for this development. The developer shall be responsible for cost and construction of all mitigation identified through the analysis. No preliminary approval of plans shall be granted until the study is reviewed and approved by the Street Transportation Department.

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. 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 Archeologist, and allow time for the Archeology Office to properly assess the materials.
11. The developer shall limit parallel parking along the west side of the development to a maximum of two hours to eliminate overnight parking.
12. Landscaping shall not include jumping cacti or thorns adjacent to the multi-use trail along Dove Valley Road.
13. Landscaping in median along Dove Valley Road shall match existing landscaping in the surrounding right-of-way areas and be cohesive, such as, but not limited to, using the same rock and planting species.
14. The updated site plan and building elevations shall be presented for review and comment to the North Gateway Village Planning Committee prior to final site plan approval.

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.

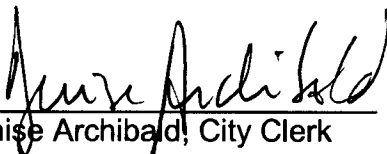
PASSED by the Council of the City of Phoenix this 14th day of June,

2023.

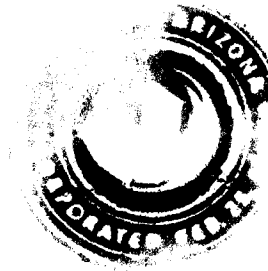


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MAYOR

ATTEST:

  
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Denise Archibald, City Clerk

        06-26-2023          
Date

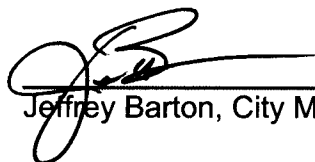


APPROVED AS TO FORM:  
Julie M. Kriegh, City Attorney

By:         Paul Li        

        Paul Li, Assistant Chief Counsel        

REVIEWED BY:

  
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Jeffrey Barton, City Manager

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Exhibits:

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

EXHIBIT A

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER (NE 1/4) OF SECTION 14, TOWNSHIP 5 NORTH, RANGE 2 EAST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A CITY OF PHOENIX BRASS CAP IN A HAND HOLE MARKING THE NORTHEAST CORNER OF SAID SECTION 14 FROM WHICH A REBAR (NO IDENTIFICATION) MARKING THE NORTH QUARTER CORNER OF SAID SECTION 14 BEARS SOUTH 89 DEGREES 26 MINUTES 10 SECONDS WEST 2639.64 FEET;

THENCE SOUTH 89 DEGREES 26 MINUTES 10 SECONDS WEST, ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 164.99 FEET;

THENCE DEPARTING SAID NORTH LINE, SOUTH 0 DEGREES 21 MINUTES 33 SECONDS EAST, A DISTANCE OF 72.25 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 0 DEGREES 21 MINUTES 33 SECONDS EAST, A DISTANCE OF 590.05 FEET;

THENCE SOUTH 89 DEGREES 27 MINUTES 53 SECONDS WEST, A DISTANCE OF 494.92 FEET;

THENCE NORTH 0 DEGREES 21 MINUTES 38 SECONDS WEST, A DISTANCE OF 592.05 FEET;

THENCE NORTH 89 DEGREES 26 MINUTES 10 SECONDS EAST, A DISTANCE OF 477.94 FEET;

THENCE SOUTH 83 DEGREES 01 MINUTES 18 SECONDS EAST, A DISTANCE OF 17.14 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 293064 SQUARE FEET OR 6.7278 ACRES OF LAND, MORE OR LESS, INCLUDING ANY ENCUMBRANCES.

**G 7 1 2 3**

# ORDINANCE LOCATION MAP

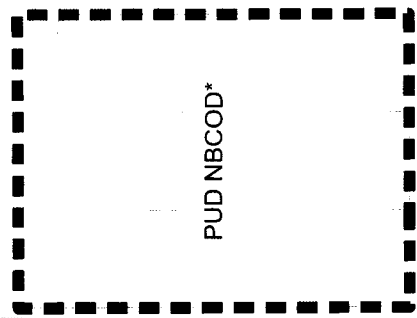
EXHIBIT B

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

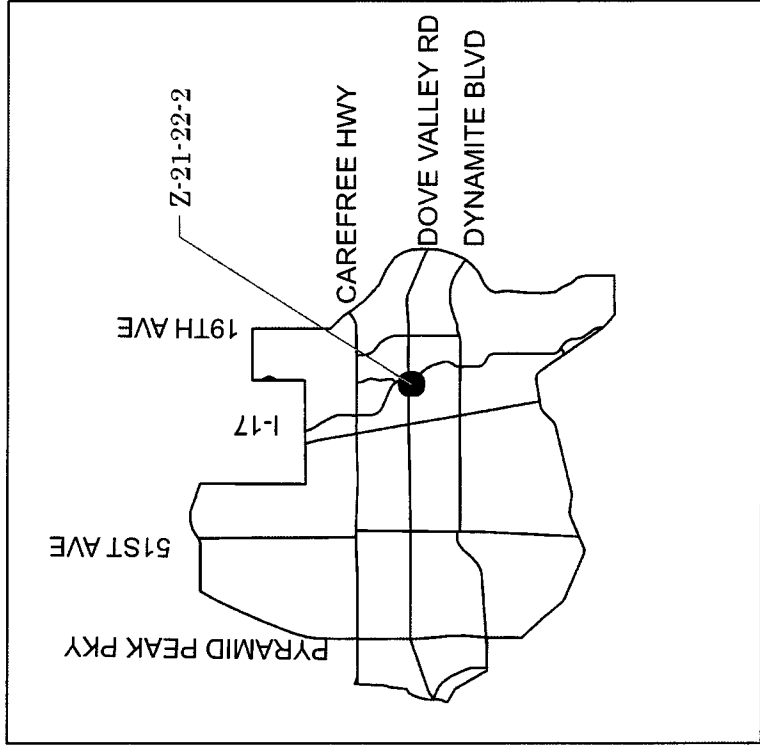
Zoning Case Number: Z-21-22-2  
Zoning Overlay: North Black Canyon Corridor  
Plan and Overlay District  
Planning Village: North Gateway

NORTH VALLEY PKWY

DOVE  
VALLEY RD



PUD NBCOD\*



Z-21-22-2

51ST AVE

1-17

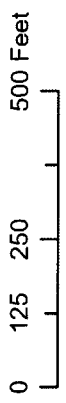
19TH AVE

CAREFREE HWY

DOVE VALLEY RD

DYNAMITE BLVD

PYRAMID PEAK PKY



NOT TO SCALE



Drawn Date: 5/8/2023