

**Northwest Corner
of
59th Avenue & Van Buren Street -
Industrial**

PLANNED UNIT DEVELOPMENT

Land Use
and
Development Standards

(Original Rezoning Case: Z-43-12-7, Final City Council Approval: May 1, 2013.)

PUD Amendment Case: Z-43-A-12-7 (Add 2 lots located along 59th Avenue.)

Submitted: November 27, 2013

Public Hearing Draft Submitted: December 30, 2013

Final City Council Approval: April 2, 2014

A Planned Unit Development (PUD) is intended to be a stand-alone document of zoning regulations for a particular project. Provisions not specifically regulated by the PUD are governed by the zoning ordinance. A PUD may include substantial background information to help illustrate the intent of the development. The purpose and intent statements are not requirements that will be enforced by the City. The PUD only modifies zoning ordinance regulations and does not modify other City Codes or requirements. Additional public hearings may be necessary such as, but not limited to, right-of-way abandonments.

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PUD Amendment (Add 2 lots located along 59th Avenue.)

Table of Contents

	<u>Page</u>
A. PURPOSE AND INTENT	2
B. DEVELOPMENT PLAN	3
1. Location and Access	3
C. SITE LOCATION AND CONDITIONS	4
1. Site Location and Conditions.....	4
2. Topography and Physical Features.....	4
D. GENERAL PLAN CONFORMANCE	5
1. A Statement of Conformity	5
2. Conformance with General Plan Goals	5
E. ZONING AND LAND USE COMPATIBILITY	6
1. Surrounding Zoning and Land Use	6
F. LAND USES	7
2. Permitted Uses Subject to Conditions/Limitations Standards	8
c) Outdoor storage, trailer or freight storage/ containers, and dock areas. ...	8

List of Figures

Amend. Figure 1: Context Exhibit.....	Page 3
Amend. Figure 2: Concept Exhibit.....	Page 4
Amend. Figure 3: Existing Site Conditions.....	Page 4
Amend. Figure 4: Current General Plan Land Use Map.....	Page 6
Amend. Figure 5: Existing Zoning.....	Page 7
Amend. Figure 6: Proposed Zoning.....	Page 7

List of Tables

Amend. Table 1: Surrounding Zoning and Land Use.....	Page 6
--	--------

Executive Summary (Amendment)

The *Northwest Corner of 59th Avenue & Van Buren Street – Industrial Planned Unit Development (“PUD”)* was approved by the City Council on May 1, 2013, (Z-43-12-7) and it established the regulatory framework necessary to facilitate the proposed development of an industrial oriented center within this area of the Estrella Village. The proposed amendment to the *Northwest Corner of 59th Avenue & Van Buren Street – Industrial PUD* is simply to add two (2) derelict remnant residential lots (approximately 1.57 acres) to this recently approved PUD case. (See **Amend. Figure 1, Context Exhibit.**) The proposed addition of these two (2) derelict remnant residential lots will help clean up the area and provide for a more comprehensive industrial development by not having to design around these two (2) “out-parcels.” The **Context Exhibit**, provided on the following page, provides a graphic overview of the planning area, street/freeway system, the recently approved PUD, and the available vacant land.

In summation, the addition of these two (2) lots within the *Northwest Corner of 59th Avenue & Van Buren Street – Industrial PUD* will not significant change the original PUD approval and these lots will abide by the same list of uses, development standards, stipulations, etc. as approved by the City Council May 1, 2013. Thus, by approving this amendment, it will add/continue the progression of a creating a quality industrial development (i.e., employment anchor) at this major intersection as well as improve the streetscape along 59th Avenue, which will help fulfill the needs of both the community and the City of Phoenix.

A. Purpose and Intent

The proposed amendment is consistent with the Estrella Village Plan. These two (2) lots are located directly adjacent to established/proposed industrial uses and a major arterial street (i.e., 59th Avenue). The two (2) lots will also be incorporated seamlessly within the original PUD approved and will fit nicely within an overall industrial site plan. The proposed amendment’s goals are to:

1. Eliminate two (2) derelict remnant residential lots.
2. Improve the streetscape.
3. Facilitate a comprehensive/cohesive industrial development plan.

The proposed amendment, by being combined with the recently approved *Northwest Corner of 59th Avenue & Van Buren Street – Industrial PUD*, will ensure compatibility with surrounding properties and will generate new tax revenue for the City of Phoenix.

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Amend. Figure 1: Context Exhibit



B. Development Plan

The *Northwest Corner of 59th Avenue & Van Buren Street – Industrial PUD* was approved with a **Concept Exhibit** which will need to be amended to include the two (2) lots. (See **Amend. Figure 2, Concept Exhibit**) As can be seen, the change to the original **Concept Exhibit** is virtually unnoticeable and will have no impact on the original approval's stipulations, development standards, etc. put in place to protect the residential homes to the north. Moreover, the addition of these two (2) lots will not impact the street circulation, but will improve safety by eliminating two (2) driveways. In fact, the addition of these two (2) lots will ultimately help facilitate better on-site circulation and access.

1. Location and Access

The proposed amendment will integrate these two (2) lots within the larger recently approved PUD. The two (2) lots are bounded by 59th Avenue to the east (future 202 freeway alignment) and the approved *Northwest Corner of 59th Avenue & Van Buren Street – Industrial PUD*. Access to the larger site will occur from various locations along both Van Buren Street and 59th Avenue.

[This area intentionally left blank.]

C. Site Location and Conditions

1. Site Location and Conditions

The two (2) lots are bounded by 59th Avenue to the east (future 202 freeway alignment) and the approved *Northwest Corner of 59th Avenue & Van Buren Street – Industrial PUD*. The legal description and graphic exhibit for the amendment is provided in Appendix D.

The *Northwest Corner of 59th Avenue & Van Buren Street – Industrial PUD* property is currently under single ownership by Wentworth Property Company, LLC. These two (2) lots are also owned by Wentworth Property Company, LLC and they will be re-platted and included into the larger PUD/development. Thus, the absorption of these two (2) lots into the larger PUD will continue to provide for single ownership, which then allows them to plan and develop a cohesive and thoughtful industrial development.

2. Topography and Physical Features

The two (2) lots are flat and have two (2) derelict residential homes; i.e., one (1) home or each lot. (See **Amend. Figure 3, Existing Site Conditions.**)

Amend. Figure 3: Existing Site Conditions



[This area intentionally left blank.]

D. General Plan Conformance

1. A Statement of Conformity

The current City of Phoenix General Plan designates these two (2) lots as a Commercial land use designation. Since the total acreage (i.e., 1.57 acres) is less than 10 acres we will not need to seek a General Plan Amendment to change the current land use designation to an Industrial designation. (See **Amend. Figure 4, Current General Plan Land Use Map.**)

2. Conformance with General Plan Goals

Land Use Element, Goal 3 Infill, Policy 2: Identify Transitional Neighborhoods in which the Surrounding Land Use Patterns, Zoning Districts, and Resident Desires Indicate Conversion to Commercial and Industrial Uses.

The two (2) lots are located 1-mile south of I-10, along a major arterial street (future 202 freeway alignment), and they have industrial zoning surrounding them. The two (2) lots are currently considered "out-parcels" and will be integrated within the larger PUD recently approved.

Land Use Element/Goal 2, Employment and Population Balance: Development of Each Village's Potential Should be Encouraged by Distributing a Diversity of Employment and Housing in a Way that Achieves a Balanced Citywide Plan and that Is Consistent with Commute Travel Patterns and the Current Character of Each Developed Village.

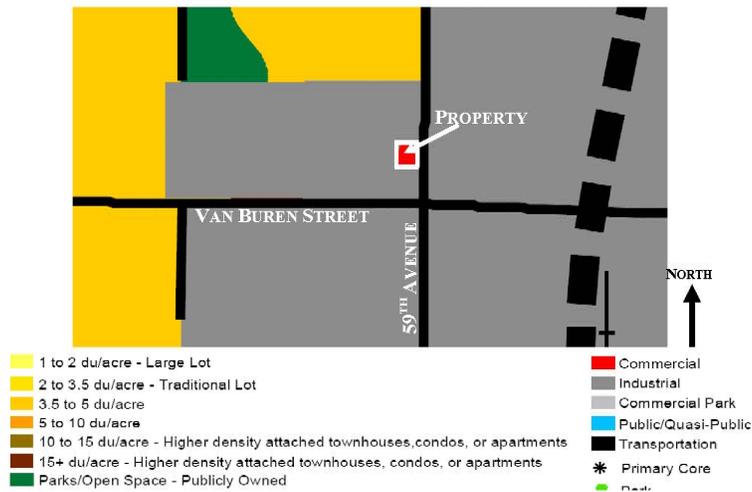
The future industrial development on the adjacent larger property will incorporate these two (2) lots to create a better overall site plan for its users. The ultimate development of these two (2) lots with the larger property will provide employment opportunities that will help support the residents in the area.

Growth Element, Goal 1 – Growth: Maintain a High Quality of Life and Economically Healthy Community.

The proposed amendment request will promote an economically healthy and balanced environment by removing two (2) derelict remnant residential lots that are providing no economic benefit, are visually unattractive, and safety/blight nuisances for the area. The future industrial development will clean-up this situation and provide employment users that will be supported by the surrounding industrial, commercial, and residential uses that exist in the area. The proposed amendment request is both consistent and in conformance with the existing industrial zoning as well as the City's General Plan for this area.

[This area intentionally left blank.]

Amend. Figure 4: Current General Plan Land Use Map



E. Zoning and Land Use Compatibility

1. Surrounding Zoning and Land Use

The existing zoning of the two (2) lots is R-5 (Multi-Family Residence District) with one (1) single-family home on each lot. The surrounding General Plan’s land use designations, zoning, and existing land uses are identified below in **Amend. Table 1**. (See also **Amend. Figure 5, Existing Zoning**.)

Amend. Table 1: Surrounding General Plan, Zoning, and Land Uses.

Location	General Plan	Zoning	Land Use
North	Industrial	PUD	Vacant.
South	Industrial	PUD	Vacant.
East	Industrial	A-1 (Light Industrial District)	Vacant / Future 202 freeway.
West	Industrial	PUD	Vacant.

The proposed amendment to add these two (2) lots to the recently approved *Northwest Corner of 59th Avenue & Van Buren Street – Industrial PUD* will abide by and adhere to that document’s list of uses, development standards,

stipulations, etc. Thus, the proposed amendment is consistent with adjacent future development as well as in harmony with the City's future planning framework for the area. (See **Amend. Figure 6, Proposed Zoning.**)

F. Land Uses

... *[This area intentionally left blank. See Original PUD Approval: May 1, 2013.]*

Amend. Figure 5: Existing Zoning



Amend. Figure 6: Proposed Zoning



2. **Permitted Uses Subject to Conditions/Limitations Standards**

[Text change proposed with this amendment as noted below. See page 12 in Original PUD Approval: May 1, 2013.]

...

d) Outdoor storage, trailer or freight storage/ containers, and dock areas.

5. Dock areas.

...

~~e. A dock area shall be no closer than fifty (50) feet to those residentially zoned R-5 properties notched out from the PUD on the east and along 59th Avenue.~~

Northwest Corner of 59th Avenue & Van Buren Street - Industrial

Planned Unit Development

Land Use and Development Standards

Table of Contents

	<u>Page</u>
A. PURPOSE AND INTENT	1
1. Regulatory Provisions	2
2. Zoning Ordinance Applicability	3
B. DEVELOPMENT PLAN	3
1. Location and Access	3
2. Uses	4
3. Standards	4
C. SITE LOCATION AND CONDITIONS	7
1. Site Location and Conditions	7
2. Topography and Physical Features	7
D. GENERAL PLAN CONFORMANCE	8
1. A Statement of Conformity	8
2. Conformance with General Plan Goals	8
E. ZONING AND LAND USE COMPATIBILITY	10
1. Surrounding Zoning and Land Use	10
F. LAND USES	10
1. Permitted Principal Uses	12
2. Permitted Uses Subject to Conditions/Limitations Standards	12
G. DEVELOPMENT STANDARDS	22
1. Building Setbacks and Lot Coverage	23
2. Building Height	23
3. Perimeter Landscape Setbacks	23
4. Fillmore Street	24
5. Landscape Adjacent to the Main Building Office - Public Entrances	25
6. Parking Lot Landscaping	26
7. Retention Basin Landscape Area	26
8. Landscape Sustainability	27
9. Off-Street Parking & Loading Standards	27
10. Shade	27
11. Lighting Standards	27
a) Outdoor Storage, Trailer or Freight Storage/ Containers, and Dock Areas.	27

12.	Walls and Screening	27
13.	Sign Standards.....	29
	a) Signage Purpose and Intent	29
	b) Monument Sign Standards	29
H.	SUSTAINABILITY GUIDELINES	31
I.	INFRASTRUCTURE STANDARDS.....	32
	a) Circulation System.....	32
	b) Grading and Drainage	33
	c) Water and Sewer Service.....	33

APPENDICES

- Appendix A: PUD Area Legal Description & ALTA Survey. (Original PUD Approval: 5/1/13.)
- Appendix B: PUD – Conditions of Zoning Approval. (Original PUD Approval: 5/1/13.)
- Appendix C: PUD Amendment (Add 2 lots located along 59th Avenue.) Legal Description and Graphic Exhibit.
- Appendix D: PUD Amendment (Add 2 lots located along 59th Avenue.) Conditions of Zoning Approval. **[Council Approval on April 2, 2014, Ordinance # G-5902.]**

List of Figures

Figure 1:	Context Exhibit	2
Figure 2:	Concept Exhibit (Original PUD Approval: May 1, 2013.)	5
	Amend. Figure 2: Concept Exhibit.....	6
Figure 3:	Existing Site Conditions.....	7
Figure 4:	Current/Proposed General plan Land Use Maps	9
Figure 5:	Existing Zoning.....	11
Figure 6:	Proposed Zoning	11
Figure 7:	Street Corner Landscaping Enhancement Exhibit.....	25
Figure 8:	Screen Wall Detail.....	29

List of Tables

Table 1:	Surrounding Zoning and Land Use	10
Table 2:	Permitted Use List	12
Table 3:	Sign Standards.....	30

Executive Summary

The *Northwest Corner of 59th Avenue & Van Buren Street – Industrial Planned Unit Development (“PUD”)* establishes the regulatory framework necessary to facilitate the proposed development of an industrial oriented expansion within this area of the Estrella Village in order to provide a better, and more appropriate, land use and transition as well as employment on seventy-nine (79) net acres. (See **Figure 1, Context Exhibit.**) The *Northwest Corner of 59th Avenue & Van Buren Street – Industrial PUD* compliments the existing and future development occurring within this area of the Estrella Village, which was planned as an important regional employment, warehousing, and industrial center. The City of Phoenix has invested significant infrastructure resources in this area too. The Arizona Department of Transportation (“ADOT”) is also planning for the western (north/south) portion 202 freeway extension to connect with I-10 at 59th Avenue. The proposed development at this corner will capitalize on and broaden economic development opportunities in this area by acting as a catalyst for additional development/redevelopment. The **Context Exhibit**, provided on the following page, provides a graphic overview of the planning area, street/freeway system, and the available vacant land.

The *Northwest Corner of 59th Avenue & Van Buren Street – Industrial PUD* represents the evolution of this property from high density multi-family housing to a more appropriate industrial project that fulfills a community need to provide more employment as well as a transitional use between the existing industrial development along Van Buren Street and the residential development along Fillmore Street. The proposed industrial development for this property is anticipated to develop either in phases or all at once depending on the market demand. This PUD is designed to create the framework to allow for flexibility while protecting the adjacent residential homes along Fillmore Street.

Thus, the *Northwest Corner of 59th Avenue & Van Buren Street – Industrial PUD* provides for uses and development standards that fulfill the needs of both the community and the City of Phoenix.

A. Purpose and Intent

The *Northwest Corner of 59th Avenue & Van Buren Street – Industrial Planned Unit Development (“PUD”)* is consistent with the Estrella Village Plan. The PUD encourages new development to be compatible with the surrounding area both currently and in the future. The property is located directly adjacent to established industrial uses, a major arterial street, and existing residential homes. The PUD provides adequate landscaping, screening, and building setbacks to buffer the existing residential homes to the north while still allowing future employment opportunities within close proximity to these homes, an existing freeway corridor (I-10), and a future freeway corridor. The primary goals of the PUD are to:

1. Facilitate development of a proposed industrial development.
2. Expand development options.
3. Create flexible and appropriate development standards that promote the City's goals/policies for the Estrella Village.

The PUD will ensure compatibility with surrounding properties; provide for a variety of services and employment opportunities; and generate new tax revenues to the City of Phoenix.

Figure 1: Context Exhibit



1. Regulatory Provisions

The PUD has been prepared pursuant to Section 671 of the Zoning Ordinance of City of Phoenix, Arizona (Planned Unit Development) to establish the regulatory framework for the *Northwest Corner of 59th Avenue & Van Buren Street – Industrial PUD* development by creating development standards specific to the context of the project site.

The PUD is a stand-alone document comprised of project specific zoning regulations, including permitted uses, conditions/limitations, development standards, building heights, landscaping, outdoor storage, driveway locations, and monument signage. Zoning provisions not specifically regulated by the PUD are governed by the Zoning Ordinance of the City of Phoenix, Arizona. In the event of a conflict between a provision of the PUD and a provision of the Zoning Ordinance of the City of Phoenix, the PUD prevails. The PUD does not modify other City Code provisions or requirements.

The provisions of the PUD apply to all property within the project boundary (see Appendix A, PUD Area Legal Description).

All images within the PUD are intended to be illustrative. The images do not convey the final design concepts for the property, but just the potential limits/restrictions of the property. Specific site plan(s) for an individual development project or for the entire PUD property will be processed in the future through the City of Phoenix site plan review process.

2. Zoning Ordinance Applicability

The intended regulatory applicability of the Zoning Ordinance of the City of Phoenix, Arizona as adopted and periodically amended, is applicable to the *Northwest Corner of 59th Avenue & Van Buren Street – Industrial PUD* except as modified by the Development Standards contained within this Planned Unit Development. Specifically, the applicability of Zoning Ordinance Provisions is defined as follows:

Chapter 1	Purpose and Applicability: All provisions are applicable to this PUD.
Chapter 2	Rules of Construction and Definitions: The defined terms within Chapter 2 are applicable.
Chapter 3	Decision Making and Administrative Bodies: All provisions are applicable to this PUD.
Chapter 4	Planning Documents: All provisions are applicable to this PUD.
Chapter 5	Development Review Procedures: All provisions are applicable to this PUD.
Chapter 6	Zoning Districts: All provisions are replaced and superseded by this PUD.
Chapter 7	Development Standards of General Applicability: As modified by this PUD.
Chapter 8	Historic Preservations: All provisions are not applicable to this PUD.
Chapter 9	Nonconformities: All provisions are not applicable to this PUD.
Chapter 10	Enforcement: All provisions are applicable to this PUD.
Chapter 11	Severability: All provisions are applicable to this PUD.
Chapter 12	Downtown Core: All provisions are not applicable to this PUD.
Appendix A	Zoning Fee Schedule: All fees are applicable to this PUD.

B. Development Plan

The *Northwest Corner of 59th Avenue & Van Buren Street – Industrial PUD* is created to capitalize on the property's location to two (2) important regional transportation corridors, expand on the City's planning and infrastructure investments, and act as a catalyst for future economic development opportunities within the Estrella Village. The *Northwest Corner of 59th Avenue & Van Buren Street – Industrial PUD Concept Exhibit* (See **Figure 2**) for the property are intended to facilitate the proposed industrial development. The PUD also expands uses from the City of Phoenix Zoning Ordinance and promotes flexibility in site design while ensuring compatibility. See **Figure 2, Concept Exhibit** for a reference of potential site development standards.

1. Location and Access

The *Northwest Corner of 59th Avenue & Van Buren Street – Industrial PUD* is a seventy-nine (79) net acre property generally bounded by 59th Avenue to the east (future 202 freeway alignment), Van Buren Street to the south, heavy (C-3) commercial type use and a senior living facility to the west, and Fillmore street to the north. Access to the site will occur from various locations along both Van

Buren Street and 59th Avenue. No access will be allowed along Fillmore Street to the north.

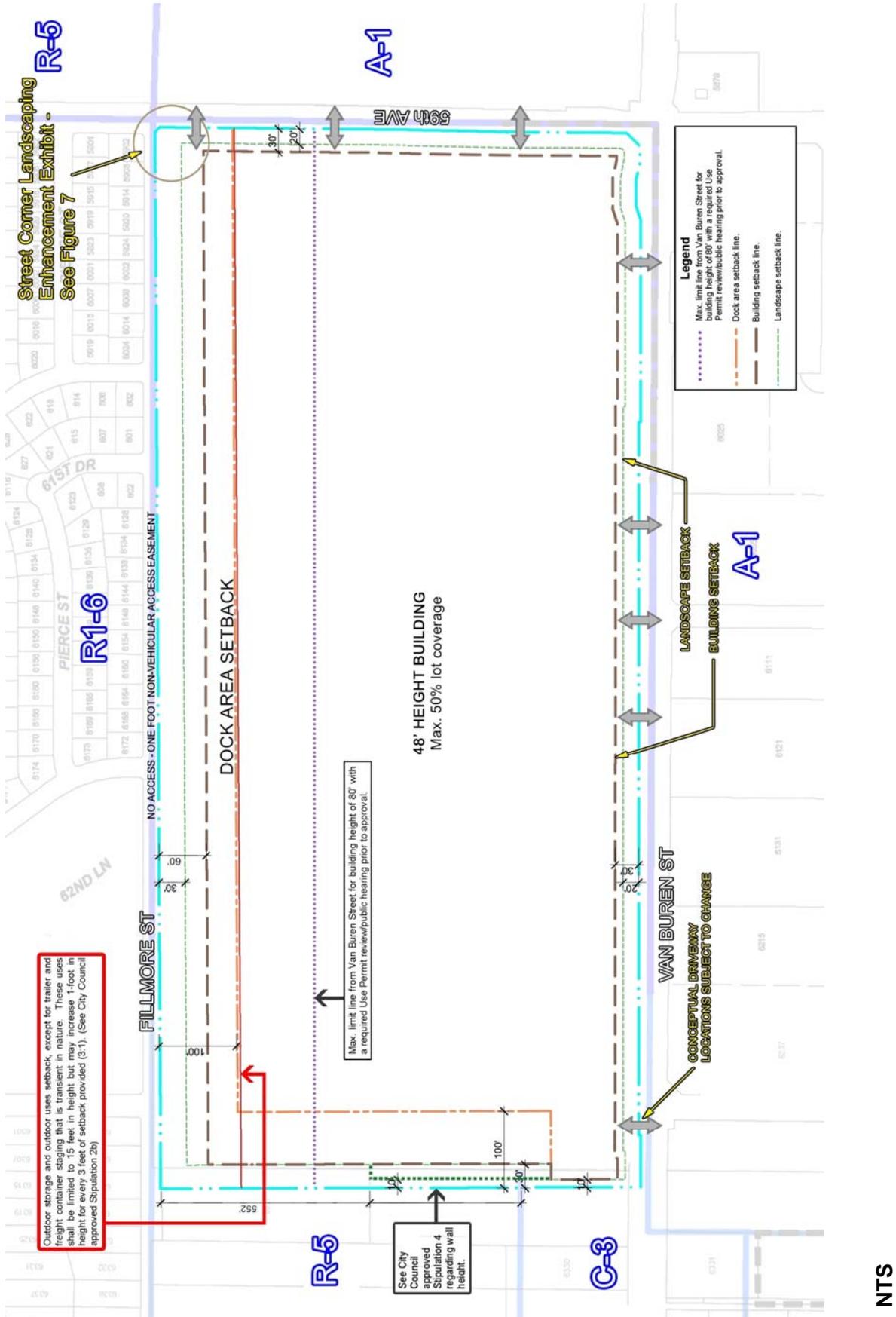
2. Uses

A comprehensive list of uses has been developed that includes permitted uses and permitted uses subject to certain conditions/limitations from the City of Phoenix's Zoning Ordinance.

The *Northwest Corner of 59th Avenue & Van Buren Street – Industrial PUD* provides flexibility for any of the permitted uses to locate anywhere on the site.

3. Standards

The development standards for PUD provides for strategic changes, where appropriate, to facilitate reasonable development based on the current/future context of the area. Monument sign standards are also included within the PUD to provide certainty to the type and possible location of those signs with the future development. Another important component to the *Northwest Corner of 59th Avenue & Van Buren Street – Industrial PUD* is the allowable building heights. The location of the property being adjacent to both 59th Avenue (future 202 freeway alignment and Van Buren Street could support increased building heights. Further, as indicated by the City of Phoenix General Plan Land Use Map, those areas of the subject property are surrounded by land uses that are not anticipated to be sensitive to building height. In addition, the current zoning on the property (R-5) allows up to forty-eight (48) feet. Higher buildings can also serve to protect residential homes from traffic noise from the surrounding streets and the future freeway. Thus, the need for flexibility in building heights from forty-eight (48) feet along Fillmore Street up to a maximum of eighty (80) feet along Van Buren Street (with a use permit) may be necessary for reasonable industrial development. The additional height allowance and location on the site shall be determined via the use permitting and public hearing process. However, the maximum building height of eighty (80) feet shall be no closer than two-hundred (200) feet from the residential zoned properties along Fillmore Street. Building setbacks, landscape setbacks, plantings, and screening will also serve to soften and transition the building heights without impacting the existing homes along Fillmore Street. See **Figure 2, Concept Exhibit**.



C. Site Location and Conditions

1. Site Location and Conditions

The Northwest Corner of 59th Avenue & Van Buren Street – Industrial PUD is a seventy-nine (79) net acre property generally bounded by 59th Avenue to the east (future 202 freeway alignment and vacant land), Van Buren Street to the south (existing industrial uses), heavy (C-3) commercial type use/senior living facility (R-5) to the east, and Fillmore street to the north (existing residential homes/public park). The legal description and ALTA survey for the PUD is provided in Appendix A.

The Northwest Corner of 59th Avenue & Van Buren Street – Industrial PUD property is currently under single ownership and is in escrow to be purchased by Wentworth Property Company, LLC. The continued transfer to a single ownership and this PUD provides a significant opportunity to plan a cohesive and thoughtful industrial development.

2. Topography and Physical Features

The Northwest Corner of 59th Avenue & Van Buren Street PUD property is flat, undeveloped, and currently being farmed. (Refer to **Figure 3, Existing Site Conditions.**)

Figure 3: Existing Site Conditions



D. General Plan Conformance

1. A Statement of Conformity

The current City of Phoenix General Plan designates the *Northwest Corner of 59th Avenue & Van Buren Street PUD* property as a mix of land uses including designations of Industrial, 15 du/acre Higher Density, and Residential 3.5 to 5 du/acre. A companion Minor General Plan Amendment case (General Plan Case No. GPA-EST-4-12-7) is being processed concurrently with the rezoning request to change the above designations to an Industrial designation. The approval of the Minor General Plan Amendment case (GPA-EST-4-12-7) will bring the *Northwest Corner of 59th Avenue & Van Buren Street PUD* in to conformance with the Industrial land use designation as well as being consistent with many of the goals and policies outlined in the City of Phoenix General Plan. Moreover, the property is located within the Southwest Phoenix Employment Center and the Enterprise Zone. These areas focus on creating quality employment opportunities for the community. The property is also located less than one mile south of the I-10 freeway and at the intersection of two arterial streets. Thus, this location is appropriate for the proposed industrial designation and supports the intent of the Southwest Employment Center and Enterprise Zone. (Refer to **Figure 4, Current/Proposed General Plan Land Use Maps.**)

2. Conformance with General Plan Goals

Land Use Element, Goal 3 Infill, Policy 2: Identify Transitional Neighborhoods in which the Surrounding Land Use Patterns, Zoning Districts, and Resident Desires Indicate Conversion to Commercial and Industrial Uses.

The vacant property is located 1-mile south of I-10, along two (2) major arterial streets (future 202 freeway alignment), and has industrial zoning/uses located to the south, west, and east.

Land Use Element/Goal 2, Employment and Population Balance: Development of Each Village's Potential Should be Encouraged by Distributing a Diversity of Employment and Housing in a Way that Achieves a Balanced Citywide Plan and that Is Consistent with Commute Travel Patterns and the Current Character of Each Developed Village.

The proposed industrial development will be located south of I-10 and adjacent to the future 202 freeway, which will reduce commuter travel and encourage employment opportunities that supports residential uses.

Growth Element, Goal 1 – Growth: Maintain a High Quality of Life and Economically Healthy Community.

The proposed PUD request will promote economically healthy and balanced environment. The future industrial users will be supported by the surrounding industrial, commercial, and residential uses that currently exist in the area. The proposed Northwest Corner of 59th Avenue & Van Buren Street PUD request is consistent with the existing industrial zoning designation to the south, west, and east.

Figure 4: Current/Proposed General Plan Land Use Maps

GENERAL PLAN – CURRENT LAND USES – TO BE AMENDED UNDER SEPARATE APPLICATION.



Proposed: Industrial Land Use.



E. Zoning and Land Use Compatibility

1. Surrounding Zoning and Land Use

The existing zoning on the *Northwest Corner of 59th Avenue & Van Buren Street PUD* property is predominately zoned R-5 (Multi-Family Residence District) with approximately 12 acres zoned C-2 (Intermediate Commercial) and 1 acre zoned C-3 (General Commercial). (Refer to **Table 1.**) The property is undeveloped. (Refer to **Figure 5, Existing Zoning.**)

Table 1: Surrounding Zoning and Land Use

Location	General Plan	Zoning	Land Use
North	Residential 3.5-5 du/acre and Parks/Open Space Public	R1-6 (Single -Family Residence District)	Single-family homes and public park.
South	Industrial	A-1 (Light Industrial District)	Industrial uses.
East	Industrial	A-1 (Light Industrial District)	Vacant / Future 202 freeway.
West	Residential 3.5-5 du/acre	C-3 (General Commercial District) / R-5 (Multi-Family Residence District)	Heavy commercial and senior living facility.

The *Northwest Corner of 59th Avenue & Van Buren Street PUD* proposes a land use and development standards that are consistent with adjacent development as well as in harmony with the City’s future planning framework for the area. (Refer to **Figure 6, Proposed Zoning.**)

F. Land Uses

The following list of uses (**Table 2: Permitted Use List**) defines permitted uses and permitted uses subject to certain conditions/limitations from the City of Phoenix’s Zoning Ordinance. The proposed uses, hybrid A-1 and General Commerce type uses, along with the necessary development standards provides for a hybrid/transitional zoning district. The PUD provides for an optimal level of uses and development standards that are compatible with the surrounding area (i.e., existing A-1 uses and residential). Moreover, the allowance for managed and mitigated outdoor storage, trailer parking, etc. is an appropriate and quite use adjacent to residential areas.

The *Northwest Corner of 59th Avenue & Van Buren Street – Industrial PUD* provides flexibility for any of the permitted uses to locate anywhere on the site.

The master developer or any property owner within the defined limits of the PUD may request an interpretation of analogous use to the defined list below from the City of Phoenix Zoning Administrator. The Zoning Administrator may administratively approve a use analogous to those listed below. Brief descriptions of the two (2) types of permitted uses are defined on the following page (i.e., page 11).

Figure 5: Existing Zoning



Figure 6: Proposed Zoning



1. Permitted Principal Uses

Uses specifically permitted as set forth in **Table 2** or analogous to those specifically permitted as determined by the City of Phoenix Zoning Administrator.

2. Permitted Uses Subject to Conditions/Limitations Standards

- a) Uses specifically permitted subject to conditions/limitations as set forth in **Table 2**. Performance Standards are specific for each individual use as defined. Some uses subject to conditions/limitations may also require a Use Permit which is processed in accordance with the provisions of the City of Phoenix Zoning Ordinance.
- b) Temporary uses shall be permitted pursuant to the City of Phoenix Zoning Ordinance’s regulations and standards for temporary uses.
- c) The outdoor use of a public address system shall be prohibited.
- d) Outdoor storage, trailer or freight storage/ containers, and dock areas.
 - 1. Outdoor uses and/or storage located between 100-300-feet of the north property line and that portion of the west property line approximately 552-feet in length south of Fillmore Street shall be required to obtain a use permit as outlined in Section 307 of the zoning ordinance
 - 2. Shall be screened, see Walls and Screening Section of the PUD.
 - 3. Along the north property line a minimum 100-foot outdoor storage and outdoor uses setback, except for trailer and freight container staging that is transient in nature. These uses shall be limited to 15 feet in height, but may increase 1-foot in height for every 3-feet of setback provided (3:1).
 - 4. The area used for storage or circulation shall be dust-free.
 - 5. Dock areas.
 - a. A dock area shall be considered as the area immediately adjacent to the building where trucks with trailers are parked for the purpose of loading and unloading to and from the building.
 - b. A dock area shall be no closer than one-hundred (100) feet to residentially zoned properties along west and north sides of the PUD.
 - c. A dock area shall be no closer than fifty (50) feet to those residentially zoned R-5 properties notched out from the PUD on the east and along 59th Avenue.

Amend. - Proposed/Approved Text Change.
(Ordinance # G-5902, Stipulation 1.)

Table 2: Permitted Use List

Permitted Uses		Conditions/Limitations
1.	Agricultural Implements Repair and Service	
2.	Agricultural Tillage, Contractors	
3.	Air Conditioning Equipment,	

Permitted Uses		Conditions/Limitations
	Fabrication	
4.	Aircraft Fabrication and Assembly	A Use Permit shall be obtained.
5.	Aircraft Sales and Repair	A Use Permit shall be obtained.
6.	Auto Seat Covers and Trim Shop	
7.	Automobile Parts and Supplies, New/Used Retail and Wholesale	Indoors.
8.	Automobiles: Parts and Supplies Used, Salvage Storage	Indoors.
9.	Awnings, Custom Fabrication and Sales	
10.	Bakers and Baked Goods, Manufacturing Wholesale and Storage	
11.	Beer, Ale and Wine Distributor, Wholesale, Storage, and bottling	
12.	Belting, Manufacturing	
13.	Beverages, Wholesale, Storage and bottling	
14.	Biomedical and Medical Research Office and/or Laboratory	
15.	Boat, Manufacturing	
16.	Boats, Custom Fabrication	
17.	Boilers, Repairing	
18.	Bookbinders, Commercial	
19.	Boxes, Sales and Manufacturing	
20.	Breweries	
21.	Brick Storage	
22.	Brooms, Mtg.	
23.	Brushes, Manufacturing	
24.	Building Contractors: Equipment and Material; Storage	
25.	Building Materials, Wholesale and Storage	
26.	Bus Line Depots with repair and light	A Use Permit shall be obtained.

Permitted Uses		Conditions/Limitations
	maintenance, including washing facilities	
27.	Bus Line Shops, Garage Repair	
28.	Button Manufacturing, Metal, Plastics	
29.	Cabinet Makers	
30.	Candle, Manufacturing	
31.	Candy, Wholesale Distribution	
32.	Canvas, Manufacturing	
33.	Carbonic Ice, Manufacturing	
34.	Carpets and Rugs, Wholesale, and Warehouse	
35.	Caskets, Manufacturing	
36.	Cement Products, Manufacturing (pipe, blocks, etc.)	Indoors.
37.	Cement Storage	
38.	Chemicals and Drugs, Storage and Distribution	
39.	Chocolate and Coca Products, Manufacturing	
40.	Cigarette Manufacturing	
41.	Cleaning and Dyeing Plants	
42.	Clothing, Wholesale and Distribution	
43.	Coffee, Wholesale, Storage, and Roasting	
44.	Coin Machines, Rental and Service	
45.	Commercial Vehicle s and Boats for Sale (Outdoor)	(1) Shall be allowed along Van Buren Street. (2) A maximum of six (6) foot high view fence may be allowed, which may have a solid base of no more than two (2) feet above finished grade, with the upper four (4) foot portion open to allow visibility, such as with wrought iron. (3) View fencing shall vary every four-hundred (400) lineal feet to visually reflect a meandering or

Permitted Uses		Conditions/Limitations
		staggered appearance. Design features should be used to break up the appearance of a long, straight fence. Such design features may include planters, pilasters, use of different block, texture, integral color, or dense landscaping.
46.	Concrete Products, Manufacturing	Indoors.
47.	Concrete Products, Storage	
48.	Confectioners, Wholesale	
49.	Contractors Equipment and Supplies, Retail Sales	
50.	Contractors Equipment and Supplies, Storage	
51.	Cranes, Storage	Indoors.
52.	Crockery, Manufacturing	
53.	Crop Dusting Equipment Yards	Excluding airplanes.
54.	Decoration, Workshop and Equipment Yard	
55.	Dental Laboratories	
56.	Diaper Supply Service	
57.	Diesel Engines Service, Equipment and Supplies	
58.	Display Designers and Builders' Shops	
59.	Distillers, Distribution, Warehouse	
60.	Doors, Metal, Manufacturing	
61.	Doors, Sash and Trim, Wood, Manufacturing	
62.	Draperies, Manufacturing	
63.	Drugs, Manufacturing	
64.	Drugs, Wholesale Storage	
65.	Dry Goods, Wholesale and Storage	
66.	Electric Equipment, Retail Sales and Repair	

Permitted Uses		Conditions/Limitations
67.	Electric Light and Power Companies, Storage	
68.	Electric Plating	
69.	Electrical Appliances, Manufacturing	
70.	Excelsior Manufacturing	
71.	Exhibition Hall	
72.	Exterminating and Fumigating Warehouse	
73.	Family Game Center	
74.	Farm Implements and Machinery Assembly	Indoors.
75.	Farm Implements and Machinery, Retail Sales	
76.	Feed and Seed, Wholesale and Storage	
77.	Fences, Metal Fabrication, Mfg;	
78.	Fences, Metal, Wholesale and Storage	
79.	Fertilizers, Processed, Storage Only	
80.	Fire Protection Equipment and Supplies, Retail Sales and Service	
81.	Floor Coverings, Retail and Wholesale	
82.	Flour and Grain Storage and Elevators	Elevators no higher than allowed for an enclosed building or via Use Permit.
83.	Freight Storage	
84.	Frozen Foods, Wholesale Storage and Distribution	
85.	Fruit and Vegetable Juice, Processing	
86.	Fruits and Vegetables, Processing	
87.	Furniture Manufacturing, Metal, Wood	
88.	Furniture, Repairing and Refinishing	
89.	Furniture, Wholesale and Storage	

Permitted Uses		Conditions/Limitations
90.	Furs, Custom Cleaning, Storage	
91.	Garment Factory	
92.	Gasoline, Storage Tanks (subject to approval by Fire Prevention Supervisor)	Ancillary to a permitted use.
93.	Glass Shops, Custom	
94.	Gymnasiums, Private or Commercial	
95.	Hay and Straw, Sales, Storage (subject to approval by Fire Prevention Supervisor)	
96.	Heating and Ventilating Equip., Storage	
97.	Hotel Equipment, Assembly and Custom Fabrication	
98.	Hotel Equipment, Supplies and Retail Sales	
99.	House Movers, Equipment Storage	Indoors.
100.	Ice, Manufacturing	
101.	Insulation Materials, Storage and Wholesale	
102.	Insulation, Contractors' Equipment Yards	
103.	Iron, Custom Decorative Wrought Iron Shops	
104.	Janitors' Supplies, Storage and Warehouse	
105.	Jewelers, Manufacturing	
106.	Laboratories, Testing and Research	
107.	Landscape Contractors	
108.	Laundries	
109.	Laundry Equipment and Supplies	
110.	Lawn Mower Repair Shops	
111.	Linen Supply Laundry Service	
112.	Liquor, Storage and Wholesale	

Permitted Uses		Conditions/Limitations
113.	Livestock Supplies, Storage and Wholesale	
114.	Lockers, Food Storage	
115.	Machinery Rental	
116.	Machinery Rentals, other than industrial	
117.	Machinery Used, Storage	
118.	Meat Packing and Smoking (no slaughtering except rabbits and poultry).	
119.	Millwork (woodworking) Manufacturing	
120.	Mineral Water Distillation and Bottling	
121.	Mining Machinery, Wholesale Storage	Indoors.
122.	Monuments, Retail Sales and Display	
123.	Motion Picture Equipment, Retail Sales and Display	
124.	Motor Freight Co., Warehouses	
125.	Motor Repairing and Rewinding, Transformers, Generators, Heavy Duty	
126.	Neighborhood Collection Center, subject to the following limitations:	(1) All loose materials shall be stored within an enclosed container or building. (2) No bay door shall face a residential zoning district if the use is located within one hundred (100) feet of such a district.
127.	Notions, Manufacturing and Wholesale	
128.	Office Furniture, Manufacturing	
129.	Office Uses	
130.	Ornamental Metal Work, Custom Hand, Fabrication	
131.	Orthopedic Appliances, Manufacturing and Sales	

Permitted Uses		Conditions/Limitations
132.	Paint and Varnish, Bulk Storage, Warehouse	
133.	Painters' Equipment and Supplies Shops, Wholesale and Storage	
134.	Paving Contractors' Equipment, Materials Storage	Indoors.
135.	Petroleum Products, Packaging and Storage	
136.	Pickled Products, Manufacturing	
137.	Pipe, Manufacturing	Indoors.
138.	Pipe, Fittings Storage	
139.	Pipe, Fittings Wholesale	
140.	Pipe, Metal, Storage	
141.	Pipe, Used, Storage and Sales	
142.	Planing Mills	
143.	Plant Nurseries, Outdoor	The outdoor sales area must be enclosed within a perimeter screen wall and/or decorative fence to ensure the proper screening of stock merchandise as approved by the Planning and Development Department. Plant materials are excluded from this requirement and may be displayed without solid screening.
144.	Plaster, Wholesale and Storage	Indoors.
145.	Plastic and Plastic Products Manufacturing	
146.	Plastic and Plastic Products, Retail and Wholesale	
147.	Plating and Polishing Shops	
148.	Playground Equipment Sales	
149.	Pottery and Ceramics, Wholesale	
150.	Poultry Supplies Wholesale and Storage	
151.	Produce Packing Plants	

Permitted Uses		Conditions/Limitations
152.	Public Storage Garages	
153.	Public Utility Plants	
154.	Public Utility Service Yards	(1) All outside storage or uses shall be enclosed by a minimum six (6) foot high and maximum ten (10) foot high masonry wall. (2) A ten (10) foot wide landscaped area shall be required outside of the wall, with screen plantings maintained to a height of ten (10) feet. (3) No lighting fixtures shall exceed fifteen (15) feet in height.
155.	Pumps, Repairing and Rental	
156.	Quarters for caretakers or watchman	
157.	Recycling Center, subject to the following limitations:	(1) Processing may include baling of recyclable materials but not basic processing or compounding to reform the materials into a usable state and shall not include shredding of automobile metals or other uses of similar intensity. (2) All loose materials shall be stored within an enclosed container or building. (3) No bay door shall face a residential zoning district if the use is located within one hundred (100) feet of such a district.
158.	Refrigeration Equipment, Repairs and Sales	
159.	Restaurant Equipment, Supplies and Retail Sales	
160.	Riding Equipment Sales	
161.	Road Building Equipment, Storage	Indoors.
162.	Saddlery Shops, Custom, Handmade	
163.	Scaffolds, Equipment Storage	
164.	Scales, Commercial Weighing	
165.	School Equipment and Supplies Wholesale	
166.	Screens, Doors and Windows,	

Permitted Uses		Conditions/Limitations
	Manufacturing	
167.	Self-Service Storage Warehouses	All storage shall be within a closed building except that boats, trailers and motor vehicles may be placed in outdoor storage areas which are separate from the buildings and screened from view from adjacent streets and property by walls, fences or landscaping. Outdoor storage areas shall not count toward meeting parking requirements.
168.	Septic Tanks, Contractors, Construction	Indoors.
169.	Sewer Pipe, Manufacturing, Concrete	Indoors.
170.	Sewer Pipe, Storage	
171.	Sewing Machines, Commercial and Industrial Type, Retail Sales and Repairing	
172.	Sign Fabrication	
173.	Slip Covers, Custom Manufacturing	
174.	Soaps, Detergent Bleach Manufacturing	
175.	Soaps, Wholesale and Storage	
176.	Special School or Training Institution not offering curriculum of general instruction comparable to public schools	
177.	Spices, Wholesale and Storage	
178.	Spraying Supplies, Equipment Yard	
179.	Storage Warehouse	
180.	Storage Yards, Bulk Material	
181.	Storage Yards, Equipment	
182.	Surgical Supplies, Wholesale	
183.	Tile Manufacturing Decorative	
184.	Tile Manufacturing, Structural	
185.	Tobacco, Wholesale and Storage	

Permitted Uses		Conditions/Limitations
186.	Tombstones, Sales and Display	
187.	Tools and Hardware, Manufacturing	
188.	Tools, Wholesale and Distribution	
189.	Tractors, Retail Sales, Display	
190.	Trailers and Storage Containers, Outdoor	
191.	Trailers, Assembly and Manufacturing	
192.	Venetian Blinds, Custom Manufacturing and Cleaning	
193.	Water Based or Water Emulsion Type Paint Only, Manufacturing	
194.	Water or Mineral, Drinking or Curative, Bottling and Distribution	
195.	Water Softening Equipment, Service and Repairs	
196.	Welding Shop	
197.	Welding, Equipment and Supplies Storage	
198.	Well Drilling, Equipment	
199.	Window Display Installations, Studio and Shops	
200.	Window Glass Installation Shops	
201.	Wines, Storage and Wholesale	
202.	Wireless Communication Facility	Wireless communication facilities must adhere to the standards for disguised or concealed facilities as set forth within the City of Phoenix Zoning Ordinance.
203.	Wood Products, Manufacturing Bulk	

G. Development Standards

To protect surrounding neighborhoods and preserve the public welfare, development standards are herein established for yard, height, landscaping, outdoor storage, signage, and general overall development requirements to provide an appropriate transition between industrial and residential uses.

1. **Building Setbacks and Lot Coverage**

Perimeter property line building setbacks shall be in accordance with **Figure 2, Concept Exhibit**.

Pursuant to City Council approval on May 1, 2013, the following setback and lot coverage below shall apply, which are also graphically shown/identified on **Figure 2, Concept Exhibit**.

1. The following minimum setback shall be provided along the north property line:
 - a. Minimum 60-foot building setback.
2. A maximum of 50 percent lot coverage may be obtained.

2. **Building Height**

Maximum building heights shall be in accordance with **Figure 2, Concept Exhibit**. Additional height up to eighty (80) feet may be granted with a Use Permit and public hearing process, per the City of Phoenix's Zoning Ordinance process, along Van Buren Street. **Note:** The current zoning on the property (R-5) allows up to forty-eight (48) feet. Higher buildings can serve to protect residential homes from traffic noise from the surrounding streets and the future freeway. Moreover, the need for flexibility in building heights from forty-eight (48) feet along Fillmore Street up to a maximum of eighty (80) feet may be necessary for a future development project that may require additional height to operate their equipment successfully. The additional height allowance and location on the site shall be determined via the use permitting and public hearing process. However, the maximum building height of eighty (80) feet shall be no closer than two-hundred (200) feet from the residential zoned properties along Fillmore Street.

It is the intent of this provision of the PUD to express the maximum building height as a measurement of feet and not as an expression of total number of stories. Any stepback provision defined within the City of Phoenix Zoning Ordinance is not applicable to development within this PUD. Height standards shall be measured in accordance with the defined term for building height provided within the Phoenix Zoning Ordinance.

3. **Perimeter Landscape Setbacks**

Perimeter landscape buffer setbacks shall be in accordance with **Figure 2, Concept Exhibit**.

The Perimeter Landscape Buffer will set the tone for the development's appearance from the public's vantage point as well as from adjacent properties, and provide a sense of edge in order to define property boundaries. An appropriate mix of canopy trees, groundcovers and shrubs provided between street and sidewalk, and between the sidewalk and parking or building areas, can create an attractive, comfortable pedestrian environment. Landscaped berms and undulating landforms used in conjunction with vegetation are encouraged to provide both visual interest and screening of employee parking and maneuvering areas.

The following standards shall apply:

- (1) Landscaping within perimeter landscape buffer areas shall incorporate an appropriate mix of shade trees along all property lines.
- (2) Trees shall be spaced at twenty (20) feet on center average with five (5) shrubs per tree and a minimum fifty percent (50%) groundcover.
- (3) A mix of tree sizes shall be used along Fillmore Street and adjacent to those areas with a residential zoning district. These areas should contain a mix of; two (2) inch caliper trees fifty percent (50%); three (3) inch caliper trees fifty percent (50%) (in accordance with the Arizona Nurseryman's Association Standards).
- (4) A mix of tree sizes shall be used along Van Buren Street and 59th Avenue. These areas should contain a mix of two (2) inch caliper trees fifty percent (50%) and three (3) inch caliper trees fifty percent (50%) (in accordance with the Arizona Nurseryman's Association Standards).

Per Approved Ordinance
G-5902, Stipulation 1.a.



Pursuant to City Council approval on May 1, 2013, the following landscape setback below shall apply, which is also graphically shown on **Figure 2, Concept Exhibit**.

1. The landscape setback along the western property line may be reduced to 10-feet beginning at approx. 552-feet south of Fillmore Street.

4. Fillmore Street

Street Corner and Landscaping.

The southwest corner of Fillmore Street and 59th Avenue corner shall be designed to create a visually enhanced sense of arrival for the residents living north of the PUD.

Landscape treatments shall be comprised of mature specimen trees (2 inch caliper or greater) and dense mass plantings of flowering shrubs, groundcover, and accent plantings at this corner. (See **Figure 7, Street Corner Landscaping Enhancement Exhibit**.)

The following additional landscape standards shall apply to this corner:

- (1) The Landscape treatments at this corner shall be a minimum of six-hundred (600) square feet of landscape area with a minimum depth dimension along Fillmore Street of thirty (30) feet.
- (2) Turf may also be used at this location.

A minimum thirty (30) foot wide landscape setback shall be provided the full length of Fillmore Street for the benefit of the residents living north of the PUD.

Figure 7: Street Corner Landscaping Enhancement Exhibit.



5. Landscape Adjacent to the Main Building Office - Public Entrances

Foundation landscape areas shall be incorporated at the main office public entrances in order to soften the vertical planes of structures and create comfortable space for pedestrians and employees. Appropriately selected tree species will be important for these areas in order to prevent growth from interfering with structures. An appropriate mix of evergreen and flowering shrubs and groundcover shall be used. Main public office entrances shall be treated with flowering shrubs, potted accent plants and shade trees where possible. Landscape areas will allow for the placement of shade trees, which in turn will provide sun and heat protection to those building facades and windows, contributing to energy efficiency and building sustainability.

The following standards shall apply:

- (1) A minimum three (3) foot wide by five (5) foot long landscape planter or planter box shall be provided on both sides of the main public office entrance.
- (2) A mix of tree sizes, shrubs, and flowering plants may be used in this area to provide visual and interest relief.
- (3) A minimum of one (1) tree at two (2) inch caliper and five (5) shrubs/flowering plants (five (5) gal) per landscape area.
- (4) Turf may be used in replace of shrubs.

6. Parking Lot Landscaping

Designated surface employee/visitor parking areas shall provide for landscaping. Landscape islands shall be dispersed throughout the parking areas to provide sufficient shade cover and be sized accordingly. Landscaping located within parking lots helps in reducing the heat island effect and provides refuge from intense heat and sunlight for the parked vehicles. This landscaping also provides “green” space within the parking fields to break up the expanses of asphalt and concrete.

The following standards shall apply:

- (1) Provide a minimum of 5% of landscaping within the interior (exclusive of perimeter landscaping) designated surface employee parking lot area.
- (2) Parking islands shall be at the ends of each row of parking and approximately every one-hundred-ten (110) feet in between.
- (3) Trees selected for parking islands shall be of the same species and selected to provide shade.
- (4) Trees used in parking islands shall be a minimum of two (2) inch caliper in accordance with the Arizona Nurseryman’s Association Standards.
- (5) Trees and shrubs shall be included at one (1) tree and five (5) shrubs (five (5) gal) per parking island row.

7. Retention Basin Landscape Area

Improved retention basin landscape areas shall be incorporated into the site development of the project when adjacent and visible to Fillmore Street. It is the intent of this PUD to encourage the development of these spaces to create interesting arrangements of shrub and groundcover plantings for those living north of the PUD. In providing these elements, the retention basin landscape areas will promote a pleasant environment. The landscaping in these areas shall be designed so that the plant material has the opportunity to use the storm water runoff to supplement the irrigation system and provide groundwater recharge. Limited use of turf may be used in the bottom of basins where appropriate, otherwise fractured granite rip rap or river rock should be placed in the low water areas to hide unsightly dirt and oils from storm water runoff.

The following standards shall apply:

- (1) Retention basin landscape areas will be owned, managed and maintained by a common association formed to address all common areas and facilities within this PUD, unless all of the property is owned by the same entity.
- (2) Landscaping within/surrounding retention basin areas shall incorporate an appropriate mix of shade trees. However, the basin area drainage system shall not be impacted by landscaping materials (i.e., groundcovers, etc.) and shall be designed appropriately to minimize impact, maintain a visually pleasing environment, and minimize long-term maintenance issues.
- (3) Trees and shrubs shall be included at minimum of one (1) tree at two (2) inch caliper and five (5) shrubs per five-hundred (500) square feet of landscape area.
- (4) Turf may be used in select locations within retention basin areas.
- (5) Any screened and not visible from Fillmore Street as well as any other retention basins within the development shall utilize fifty percent (50%) live landscaping coverage.

Per Approved Ordinance # G-5902, Stipulation 1.b.



8. Landscape Sustainability

Sustainable landscape and irrigation design practices shall be considered. A minimum of three (3) of the six (6) items described below shall be implemented within the overall development or in each phase as developed.

- (1) Capture gray water discharge from developments facilities and re-use for landscape irrigation.
- (2) Utilize “Smart” irrigation control systems.
- (3) Utilize efficient drip irrigation technology.
- (4) Locate plant material in or near storm water drainage swales or basins to maximize water benefit for landscape areas.
- (5) Use low water use plant material.
- (6) Provide slope stabilizing plant material where appropriate to limit erosion.

9. Off-Street Parking & Loading Standards

Refer to the Off-Street Parking and Loading Standards of the Phoenix Zoning Ordinance for the required parking and loading standards.

A one (1) foot non-vehicular access easement will be required at the time of the final plat for those parcels abutting Fillmore Street to protect the residents north from truck and vehicular traffic exiting and entering this PUD.

10. Shade

Designated surface employee/visitor parking areas shall provide a minimum of fifteen percent (15%) shade cover through a combination of shade trees and/or shade canopies.

11. Lighting Standards

To promote safety and continuity in design of the fixtures as well as the color and intensity of light, this PUD shall comply with lighting standards as defined within the Phoenix Zoning Ordinance except as modified below.

- a) Outdoor Storage, Trailer or Freight Storage/ Containers, and Dock Areas.
 - (1) Shall utilize metal halide luminaires, mounted at a height not to exceed twenty-five (25) feet, except that poles installed within thirty (30) feet of the PUD boundary shall not exceed eighteen (18) feet in height. Building mounted luminaires shall not exceed fourteen (14) feet in height.
 - (2) Provide a photometric analysis at the time of the site plan review process that shall demonstrate the lighting design will not produce lighting levels that exceed 1-foot candle at the PUD boundary.
 - (3) Exterior lighting within thirty (30) feet of residentially zoned properties shall be partially shielded.

12. **Walls and Screening**

- a) A three (3) foot high solid wall shall screen designated surface employee/visitor parking areas from street frontages or a combination of solid wall and shrubbery.
- b) Combination solid wall and view fencing may be allowed to screen designated surface employee/visitor parking areas along street frontages.
 - (1) A maximum of six (6) foot high, which may have a solid base a minimum of three (3) feet above finished grade, with the upper portion open to allow visibility, such as with wrought iron.
 - (2) View fencing shall vary every four-hundred (400) lineal feet to visually reflect a meandering or staggered appearance. Design features should be used to break up the appearance of a long, straight fence. Such design features may include planters, pilasters, use of different block, texture, integral color, or dense landscaping adjacent to the wall or fence.
- c) An eight (8) foot high solid screen wall shall be utilized to screen outdoor storage areas, trailer or freight storage/containers, and dock areas from view along street frontages. (Refer to **Figure 8, Screen Wall Detail**.)
 - (1) The eight (8) foot high solid screen wall shall vary every four-hundred (400) lineal feet to visually reflect a meandering or staggered appearance. Design features should be used to break up the appearance of a long, straight fence. Such design features may include planters, pilasters, use of different block, texture, integral color, or dense landscaping adjacent to the wall.
- d) If there is no wall along an exterior property line separating two (2) properties then a solid block wall shall be installed up to a maximum of eight (8) feet in height.
- e) An eight (8) foot CMU wall shall be provided adjacent to all residential zoning districts, except for the portion of the western property line zoned R-5 south (approximately 552-feet) of Fillmore Street.
- f) Retaining walls may be required and shall comply with the regulations applicable to retaining walls as described in the Phoenix Zoning Ordinance.

Figure 8, Screen Wall Detail



13. Sign Standards

a) Signage Purpose and Intent

Ensure that all uses have adequate signs for individual project identity and regulatory signage needs. The sign regulations within the *Northwest Corner of 59th Avenue & Van Buren Street – Industrial PUD* will follow the City of Phoenix Zoning Ordinance standards for signage.

However, the sign standards for monument signage included within this PUD are intended to replace and supersede the comparable sign standards contained within the City of Phoenix Zoning Ordinance. In the event of a conflict between a provision of the PUD and a provision of the City of Phoenix Zoning Ordinance, the PUD prevails. In the event that the PUD is silent regarding a specific sign standard, the City of Phoenix Zoning Ordinance prevails (i.e., the A-1, Light Industrial Zoning District).

If in the future, via text amendment to add the 202 freeway at this location in Phoenix, off-premise structures are permitted to locate by the 202 freeway then off-premise structures may be located within this PUD. However, any proposed off-premise signs shall comply with the City of Phoenix Zoning Ordinance sign standards and spacing requirements for off-premise signs within PUD's.

b) Monument Sign Standards

No monument signs shall be allowed along Fillmore Street.

Freeway pylon signs shall not be located within 300-feet of the north property line.

One (1) sign on a multiple-use parcel or for the entire development shall include center identification (i.e. the name of the center), if any.

Freeway signs shall only be located on property with freeway frontage and must be within three hundred (300) feet of, and oriented to 202 freeway. No setback is required and may include electronic message centers for a freeway sign.

Sign area for the freeway pylon sign is calculated based on the total area of the freeway signage excluding the pylon structure and architectural embellishments. (See **Table 3.**)

Table 3: Sign Standards

Type of Sign	Number of Signs & Spacing	Maximum Height	Maximum Area
Primary Sign	<ul style="list-style-type: none"> • 1 sign permitted per 300 lineal feet of street frontage • minimum of 1 regardless of street frontage • 100 foot minimum spacing between signs 	16 feet	187 square feet
Primary Sign Freeway Frontage	<ul style="list-style-type: none"> • 1 sign permitted per 300 lineal feet of street frontage • minimum of 1 regardless of street frontage • 100 foot minimum spacing between signs 	30 feet	187 square feet
Directional Sign	2 per driveway	6feet	7 square feet
<i>Freeway Pylon Sign</i>	<ul style="list-style-type: none"> • 3 maximum • 100 foot minimum spacing between signs 	70 feet	1,122 square feet. (A maximum of 672 square feet of the 1,122 square feet may be allowed for an Electronic Message Display* for users within the PUD development.)

* Electronic message displays shall be permitted upon satisfying the following minimum conditions:

- a. The sign copy shall change only through an immediate transition of the sign copy or message that does not have the appearance of moving text or images. The sign copy shall not use flashing, intermittent or moving lights or produce the optical illusion of movement. No part of the sign structure or cabinet may move or rotate, except as otherwise permitted by these sign provisions.

- b. The sign copy shall be displayed for a minimum of eight (8) seconds.
- c. The sign shall include photocell technology to control and vary the intensity of lighting depending on the amount of ambient light that is present (e.g. daytime, nighttime, cloudy conditions). The intensity of the lighting shall not exceed three hundred (300) nits from dusk until 11 PM.
- d. From 11:00 p.m. until sunrise, illumination shall be extinguished and shall be equipped with an automatic device to ensure compliance.

H. Sustainability Guidelines

The “Leadership in Energy and Environmental Design” (LEED) Green Building Rating System is presently a voluntary standard for developing high-performance sustainable buildings. Developers of this PUD property are strongly encouraged to incorporate current LEED standards within the project.

This PUD encourages sustainability principles through the implementation of at least three (3) of the following Design Review Presumptions, or other sustainability principles as approved by the City.

- a) Building designs should respond to the harsh southwest climate by incorporating materials and design methods suitable for the region.
- b) The orientation of buildings should recognize the value of human comfort zones, and surrounding buildings with appropriate landscaping and abundant shading.
- c) Orientation of buildings and fenestration design should maximize solar benefits while minimizing the negative impacts of heat gain.
- d) Recognizing that sustainability methods are continually improving and evolving over time, incorporate state-of-the-art sustainability methods and products as the project is phased.
- e) Incorporate solar collection technologies for providing and storing energy as well as heated water systems for individual buildings.
- f) Design to reduce project energy loads by addressing passive design elements (i.e. daylight, natural ventilation, materials solar mass properties) and active design elements (i.e. environmental conditioning methods, radiant heating and cooling, shared building systems).
- g) Design for effective water usage and conservation methods in buildings by using low flow plumbing fixtures using minimal amounts of potable water.
- h) Design for effective use of energy efficient appliances and HVAC systems by demonstrating reductions in on-going power consumption.
- i) Design for the capture of gray water discharge from buildings for reuse for landscape irrigation.
- j) Incorporate “Smart” irrigation control systems into the design and development of the development phase.
- k) Use roofing materials that specify a high Solar Reflectance Index for a minimum of 75% of the roof surface area.
- (l) Use paints and coatings on the interior of the building (i.e., inside of the weatherproofing system and applied on-site) that comply with the following criteria as applicable to the project scope 1:
 - (1) Architectural paints and coatings applied to interior walls and ceilings must not exceed the volatile organic compound (VOC) content limits established in Green Seal Standard GS-11, Paints, 1st Edition, May 20, 1993.

- (2) Anti-corrosive and anti-rust paints applied to interior ferrous metal substrates must not exceed the VOC content limit of 250 g/L established in Green Seal Standard GC-03, Anti-Corrosive Paints, 2nd Edition, January 7, 1997.
- (3) Clear wood finishes, floor coatings, stains, primers, and shellacs applied to interior elements must not exceed the VOC content limits established in South Coast Air Quality Management District (SCAQMD) Rule 1113, Architectural Coatings, rules in effect on January 1, 2004.

I. Infrastructure Standards

a) Circulation System

The Northwest Corner of 59th Avenue & Van Buren Street PUD has great access from the major streets in the area.

Improvements to Van Buren Street and 59th Avenue were completed by the City. Driveways will be provided from these streets only and no driveways will be allowed along Fillmore Street. A one (1) foot non-vehicular access easement will be required.

- (1) Van Buren Street: Van Buren Street is a fully improved and dedicated major arterial road with three (3) westbound and two (2) eastbound travel lanes.
- (2) 59th Avenue: 59th Avenue is an improved major arterial road with two (2) northbound and southbound travel lanes. Per the City of Phoenix Streets Department, no right-of-way dedication is needed along 59th Avenue unless a future driveway entrance requires a decel/right turn lane, which may require additional right-of-way. Future driveways would need to fit between the existing 69 KV poles.
- (3) Fillmore Street: Fillmore Street is planned as a local street with one (1) travel lane in each direction and appropriate right-of-way dedication and improvements will be made, pursuant to the City of Phoenix Streets Department.

Pursuant to City Council approval on May 1, 2013, the following Street Transportation stipulations below shall be addressed.

1. Submit a revised Traffic Impact Analysis to accommodate updated development plans per the PUD requirements. The development shall be responsible for any necessary dedications and improvements to the street network as approved by the Street Transportation Department.
2. The developer shall construct all streets adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidentals as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
3. A Red Border Letter shall be filed with the Arizona Department of Transportation (ADOT) notifying them of this project. The response from ADOT shall be included in the Appendix of the

Traffic study. Potential right-of-way requirements need to be addressed in ADOT's response.

4. The applicant shall revise the Traffic Impact Study in accordance with comments provided by the Street Transportation Department and with final approval by the Street Transportation Department prior to preliminary site plan approval.
5. The developer shall work with the neighborhood to pay for traffic mitigation measures along Fillmore Street adjacent to the subject site as approved or modified by the Street Transportation Department.

b) Grading and Drainage

The site is vacant and all finished floor elevations will be established a minimum of one foot above the high adjacent water surface elevations. The proposed development will provide retention for the one hundred year, two hour storm event per the City of Phoenix design standards. Retention for the proposed development will be provided on individual parcels and/or within common retention areas servicing large portions of the development or the overall PUD. The common retention areas will be limited to a maximum of three feet of water depth and graded with maximum side slope ratio of 3:1. Retention areas provided on individual parcels may be either by retention basins or underground storage. All retention facilities will be drained within thirty-six hours of a major storm event as required by the City of Phoenix Drainage Design Manual.

c) Water and Sewer Service

- (1) Wastewater Design: The Northwest Corner of 59th Avenue & Van Buren Street PUD development may need to extend the sewer mains along Van Buren Street to provide sanitary service to the property. The option to utilize the existing sewer main along Fillmore Street shall be reviewed and approved by the Planning & Development Department in order to avoid disturbing the existing improvements made to Van Buren Street.
- (2) Water Design: The Northwest Corner of 59th Avenue & Van Buren Street PUD development will utilize existing water mains in the area to provide water service connection to the property. The PUD is located within the City of Phoenix water service area.

Appendices

Appendix A: PUD Area Legal Description and Alta Survey

LEGAL DESCRIPTION OF PROPERTY

PARCEL NO. 1:

THE EAST THREE-QUARTERS OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 1 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN;

EXCEPT ANY PORTION LYING WITHIN THAT CERTAIN DITCH KNOWN AS A SUB-LATERAL TO LATERAL 14 OF THE GRAND CANAL AS THE SAID SUB-LATERAL IS NOW LOCATED AND CONSTRUCTED THROUGH, OVER AND ACROSS THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 1 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, THE CENTER LINE OF THE SAID SUB-LATERAL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SAID SECTION 6, AND USING AS A BASE THE EAST BOUNDARY LINE OF THE SAID SECTION, (THE SAID EAST BOUNDARY LINE HAVING A BEARING OF NORTH 0 DEGREES 40 MINUTES EAST, BASED ON A MAGNETIC BEARING OF NORTH 13 DEGREES 42 MINUTES WEST);

THENCE NORTH 00 DEGREES 40 MINUTES EAST, A DISTANCE OF 1323.00 FEET;

THENCE NORTH 89 DEGREES 20 MINUTES WEST, A DISTANCE OF 26.00 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 88 DEGREES 56 MINUTES WEST, A DISTANCE OF 574.00 FEET;

THENCE SOUTH 89 DEGREES 00 MINUTES WEST, A DISTANCE OF 600.00 FEET;

THENCE SOUTH 89 DEGREES 40 MINUTES WEST, A DISTANCE OF 440.00 FEET;

THENCE SOUTH 89 DEGREES 15 MINUTES WEST, A DISTANCE OF 1001.00 FEET TO A POINT IN THE NORTH AND SOUTH MID-SECTION LINE OF THE SAID SECTION 6, FROM WHICH POINT THE SOUTH QUARTER CORNER OF THE SAID SECTION BEARS SOUTH 00 DEGREES 26 MINUTES WEST, A DISTANCE OF 1309.60 FEET; AND

EXCEPT THAT PORTION CONVEYED TO THE CITY OF PHOENIX, IN INSTRUMENT NUMBERS 2005-215472 OF OFFICIAL RECORDS AND 2005-0215474 OF OFFICIAL RECORDS; DESCRIBED AS FOLLOWS:

THE NORTH 22.00 FEET OF THE SOUTH 55.00 FEET OF THE EAST THREE-QUARTERS OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 1 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

PARCEL NO. 2:

THE EAST HALF OF THE WEST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER AND THE WEST QUARTER OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 1 NORTH, RANGE 2 EAST, GILA AND SALT RIVER BASE AND MERIDIAN;

EXCEPT ANY PORTION LYING WITHIN THAT CERTAIN DITCH KNOWN AS A SUB-LATERAL TO LATERAL 14 OF THE GRAND CANAL AS THE SAID SUB-LATERAL IS NOW LOCATED AND CONSTRUCTED THROUGH, OVER AND ACROSS THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 1 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, THE CENTER LINE OF THE SAID SUB-LATERAL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SAID SECTION 6, AND USING AS A BASE THE EAST BOUNDARY LINE OF THE SAID SECTION, (THE SAID EAST BOUNDARY LINE HAVING A BEARING OF NORTH 0 DEGREES 40 MINUTES EAST, BASED ON A MAGNETIC BEARING OF NORTH 13 DEGREES 42 MINUTES WEST);

THENCE NORTH 00 DEGREES 40 MINUTES EAST, A DISTANCE OF 1323.00 FEET;

THENCE NORTH 89 DEGREES 20 MINUTES WEST, A DISTANCE OF 26.00 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 88 DEGREES 56 MINUTES WEST, A DISTANCE OF 574.00 FEET;

THENCE SOUTH 89 DEGREES 00 MINUTES WEST, A DISTANCE OF 600.00 FEET;

THENCE SOUTH 89 DEGREES 40 MINUTES WEST, A DISTANCE OF 440.00 FEET;

THENCE SOUTH 89 DEGREES 15 MINUTES WEST, A DISTANCE OF 1001.00 FEET TO A POINT IN THE NORTH AND SOUTH MID-SECTION LINE OF THE SAID SECTION 6, FROM WHICH POINT THE SOUTH QUARTER CORNER OF THE SAID SECTION BEARS SOUTH 00 DEGREES 26 MINUTES WEST, A DISTANCE OF 1309.60 FEET; AND

EXCEPT THAT PORTION CONVEYED TO THE CITY OF PHOENIX, IN INSTRUMENT NUMBER 2005-0190120 OF OFFICIAL RECORDS, DESCRIBED AS FOLLOWS:

THE NORTH 22.00 FEET OF THE SOUTH 55.00 FEET OF THE EAST HALF OF THE WEST HALF AND THE WEST QUARTER OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 1 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

PARCEL NO. 3:

THE WEST HALF OF THE WEST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER AND THE EAST QUARTER OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 1 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT ANY PORTION LYING WITHIN THAT CERTAIN DITCH KNOWN AS A SUB-LATERAL TO LATERAL 14 OF THE GRAND CANAL AS THE SAID SUB-LATERAL IS NOW LOCATED AND CONSTRUCTED THROUGH, OVER AND ACROSS THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 1 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, THE

CENTER LINE OF THE SAID SUB-LATERAL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SAID SECTION 6, AND USING AS A BASE THE EAST BOUNDARY LINE OF THE SAID SECTION, (THE SAID EAST BOUNDARY LINE HAVING A BEARING OF NORTH 0 DEGREES 40 MINUTES EAST, BASED ON A MAGNETIC BEARING OF NORTH 13 DEGREES 42 MINUTES WEST);

THENCE NORTH 00 DEGREES 40 MINUTES EAST, A DISTANCE OF 1323.00 FEET;

THENCE NORTH 89 DEGREES 20 MINUTES WEST, A DISTANCE OF 26.00 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 88 DEGREES 56 MINUTES WEST, A DISTANCE OF 574.00 FEET;

THENCE SOUTH 89 DEGREES 00 MINUTES WEST, A DISTANCE OF 600.00 FEET;

THENCE SOUTH 89 DEGREES 40 MINUTES WEST, A DISTANCE OF 440.00 FEET;

THENCE SOUTH 89 DEGREES 15 MINUTES WEST, A DISTANCE OF 1001.00 FEET TO A POINT IN THE NORTH AND SOUTH MID-SECTION LINE OF THE SAID SECTION 6, FROM WHICH POINT THE SOUTH QUARTER CORNER OF THE SAID SECTION BEARS SOUTH 00 DEGREES 26 MINUTES WEST, A DISTANCE OF 1309.60 FEET; AND

EXCEPT THAT PORTION CONVEYED TO THE CITY OF PHOENIX, IN INSTRUMENT NUMBER 2004-078521 OF OFFICIAL RECORDS DESCRIBED AS FOLLOWS:

THE NORTH 22.00 FEET OF THE SOUTH 55.00 FEET OF THE WEST HALF OF THE WEST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 1 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA; AND EXCEPT THAT PORTION CONVEY TO THE CITY OF PHOENIX, IN INSTRUMENT NUMBER 2004-0078519 OF OFFICIAL RECORDS, DESCRIBED AS FOLLOWS:

THE NORTH 17.00 FEET OF THE SOUTH 50.00 FEET OF THE EAST QUARTER OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 6, AND THE NORTH 5.00 FEET OF THE SOUTH 55.00 FEET OF THE EAST 25.00 FEET OF THE EAST QUARTER OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 1 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

PARCEL NO. 4:

A PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 1 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A BRASS CAP FLUSH WITH THE PAVEMENT MARKING THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER FROM WHICH A BRASS CAP IN A HAND HOLE MARKING THE SOUTHEAST CORNER OF SAID SECTION 6 BEARS SOUTH 89 DEGREES 59 MINUTES 43 SECONDS EAST, A DISTANCE OF 1311.64 FEET;

THENCE NORTH 00 DEGREES 01 MINUTES 34 SECONDS WEST, A DISTANCE OF 55.00 FEET ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER TO THE POINT OF BEGINNING;

THENCE CONTINUING NORTH 00 DEGREES 01 MINUTES 34 SECONDS WEST, A DISTANCE OF 1266.67 FEET ALONG SAID WEST LINE TO THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER;

THENCE NORTH 89 DEGREES 41 MINUTES 33 SECONDS EAST, ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 1158.89 FEET;

THENCE SOUTH 76 DEGREES 14 MINUTES 39 SECONDS EAST, A DISTANCE OF 102.88 FEET TO THE SOUTH LINE OF THE NORTH 25.00 FEET OF SAID SOUTHEAST QUARTER;

THENCE NORTH 89 DEGREES 41 MINUTES 33 SECONDS EAST ALONG SAID SOUTH LINE, A DISTANCE OF 5.00 FEET;

THENCE SOUTH 45 DEGREES 04 MINUTES 31 SECONDS EAST, A DISTANCE OF 16.90 FEET TO THE WEST LINE OF THE EAST 40.00 FEET OF SAID SOUTHEAST QUARTER;

THENCE SOUTH 00 DEGREES 09 MINUTES 25 SECONDS WEST ALONG SAID WEST LINE, A DISTANCE OF 426.52 FEET;

THENCE SOUTH 01 DEGREES 18 MINUTES 10 SECONDS WEST, A DISTANCE OF 220.52 FEET;

THENCE NORTH 89 DEGREES 50 MINUTES 35 SECONDS WEST, A DISTANCE OF 230.00 FEET;

THENCE SOUTH 00 DEGREES 09 MINUTES 25 SECONDS WEST, A DISTANCE OF 63.25 FEET;

THENCE NORTH 89 DEGREES 59 MINUTES 43 SECONDS WEST, A DISTANCE OF 669.92 FEET;

THENCE SOUTH 00 DEGREES 09 MINUTES 25 SECONDS WEST, A DISTANCE OF 527.00 FEET TO THE NORTH LINE OF THE SOUTH 55.00 FEET OF SAID SOUTHEAST QUARTER AND THE NORTHERLY RIGHT-OF-WAY LINE OF VAN BUREN STREET AS DESCRIBED IN DOCUMENT NOS. 2004-1521174 AND 2004-1521176, RECORDS OF MARICOPA COUNTY;

THENCE NORTH 89 DEGREES 59 MINUTES 43 SECONDS WEST, A DISTANCE OF 367.48 FEET ALONG SAID NORTHERLY RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING.

PARCEL NO. 5:

THAT PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 1 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 6 FROM WHICH THE SOUTHEAST CORNER OF SAID SECTION 6 BEARS SOUTH 89 DEGREES 59 MINUTES 43 SECONDS EAST, 1311.64 FEET;

THENCE SOUTH 89 DEGREES 59 MINUTES 43 SECONDS EAST, 367.31 FEET;

THENCE NORTH 00 DEGREES 09 MINUTES 25 SECONDS EAST, 55.00 FEET TO THE NORTH LINE OF THE SOUTH 55.00 FEET OF SAID SECTION 6 AND THE POINT OF BEGINNING;

THENCE CONTINUING NORTH 00 DEGREES 09 MINUTES 25 SECONDS EAST, 527.00 FEET;

THENCE SOUTH 89 DEGREES 59 MINUTES 43 SECONDS EAST, 669.92 FEET;

THENCE SOUTH 00 DEGREES 09 MINUTES 25 SECONDS WEST, 186.75 FEET;

THENCE SOUTH 89 DEGREES 50 MINUTES 35 SECONDS EAST, 225.00 FEET TO THE EAST RIGHT OF WAY LINE OF 59TH AVENUE;

THENCE SOUTH 01 DEGREES 18 MINUTES 10 SECONDS WEST, 79.54 FEET ALONG SAID EAST RIGHT OF WAY LINE TO THE WEST LINE OF THE EAST 51.00 FEET OF SAID SECTION 6;

THENCE SOUTH 00 DEGREES 09 MINUTES 25 SECONDS WEST, 228.14 FEET ALONG SAID WEST LINE;

THENCE SOUTH 45 DEGREES 11 MINUTES 36 SECONDS WEST, 49.66 FEET TO THE NORTH LINE OF THE SOUTH 52.00 FEET OF SAID SECTION 6;

THENCE NORTH 89 DEGREES 59 MINUTES 43 SECONDS WEST, 40.01 FEET ALONG SAID NORTH LINE;

THENCE ALONG THE NORTHERLY RIGHT OF WAY LINE OF VAN BUREN STREET AS DESCRIBED IN DOCUMENT NO. 2004-1521174 OF OFFICIAL RECORDS, RECORDS OF MARICOPA COUNTY, ARIZONA, THE FOLLOWING 6 COURSES:

THENCE NORTH 77 DEGREES 27 MINUTES 59 SECONDS WEST, 46.10 FEET;

THENCE NORTH 89 DEGREES 59 MINUTES 43 SECONDS WEST, 70.00 FEET;

THENCE SOUTH 72 DEGREES 28 MINUTES 45 SECONDS WEST, 39.85 FEET;

THENCE NORTH 89 DEGREES 59 MINUTES 43 SECONDS WEST, 522.00 FEET;

THENCE NORTH 00 DEGREES 00 MINUTES 17 SECONDS EAST, 5.00 FEET;

THENCE NORTH 89 DEGREES 59 MINUTES 43 SECONDS WEST, 143.18 FEET TO THE POINT OF BEGINNING.

Appendix B: PUD – Conditions of Zoning Approval (May 1, 2013)

ORDINANCE G-5806

AN ORDINANCE AMENDING THE CODE OF THE CITY OF PHOENIX, ARIZONA, PART II, CHAPTER 41, THE ZONING ORDINANCE OF THE CITY OF PHOENIX, BY AMENDING SECTION 601, THE ZONING MAP OF THE CITY OF PHOENIX, CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-43-12-7) FROM R-5 (MULTIPLE-FAMILY RESIDENCE), R-5 (APPROVED C-2) (MULTIPLE-FAMILY RESIDENCE APPROVED INTERMEDIATE COMMERCIAL), AND C-3 (GENERAL COMMERCIAL) TO PUD (PLANNED UNIT DEVELOPMENT).

WHEREAS, on October 5, 2012, the City of Phoenix Planning and Development Department received, in compliance with the requirements of the City of Phoenix Zoning Ordinance, Section 506, a written request for rezoning from Paul Gilbert of Beus Gilbert PLLC, having authorization to represent the owner, James F Kenny of El Dorado Van Buren 80 LLC of an approximately 83.15 acre property located at the northwest corner of 59th Avenue and Van Buren Street in a portion of Section 6, Township 1 North, Range 2 East, as described more specifically in Attachment "A", attached hereto and incorporated herein by this reference; and,

WHEREAS, pursuant to A.R.S. § 9-462.04, the Planning Commission, held a public hearing on April 9, 2013, and at this hearing recommended that the City

Council approve this rezoning request with the recommended staff conditions, as modified; and,

WHEREAS, the City Council, at their regularly scheduled meeting held on May 1, 2013, has determined that, in accordance with A.R.S. § 9-462.01.F, this rezoning request, with the appropriate site specific requirements provided in Section 2, is consistent with and conforms to the General Plan, will conserve and promote the public health, safety and general welfare, and should be approved, subject to the conditions herein.

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

SECTION 1: The zoning of an approximately 83.15 acre property located at the northwest corner of 59th Avenue and Van Buren Street in a portion of Section 6, Township 1 North, Range 2 East, as described more Specifically In Attachment "A", Is Hereby Changed From "R-5" (Multiple-Family Residence), "R-5 (Approved C-2)" (Multiple-Family Residence approved Intermediate Commercial), and "C-3" (General Commercial) to "PUD" (Planned Unit Development) and that 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 2: The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-43-12-7, on file with the Planning and Development Department. Due to the site's specific physical conditions and the use district applied for by the applicant, this rezoning is subject to compliance

with the PUD narrative and 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 Z-43-12-7 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 February 13, 2013.

New Development Standards

2. The following minimum setbacks shall be provided along the north property line, as approved by the Planning and Development Department:
 - a. Minimum 60-foot building setback
 - b. Minimum 100-foot outdoor storage and outdoor uses setback, except for trailer and freight container staging that is transient in nature. These uses shall be limited to 15 feet in height but may increase 1-foot in height for every 3 feet of setback provided (3:1).
3. Outdoor uses and/or storage located between 100-300 feet of the north property line and that portion of the west property line approximately 552 feet in length south of Fillmore Street shall be required to obtain a use permit as outlined in Section 307 of the zoning ordinance, as approved by the Planning and Development Department.
4. An 8-foot CMU wall shall be provided adjacent to all residential zoning districts, except for the portion of the western property line zoned R-5 south (approximately 552 feet) of Fillmore Street, as approved by the Planning and Development Department.
5. A maximum of 50 percent lot coverage may be obtained by the applicant, as approved by the Planning and Development Department.
6. Freeway pylon signs shall be not be located within 300 feet of the north property line, as approved by the Planning and Development Department.

7. The landscape setback along the western property line may be reduced to 10 feet beginning at approximately 552 feet south of Fillmore Street, as approved by the Planning and Development Department.
8. That prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims in a form approved by the City Attorney's Office. 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.

Development Narrative Updates and Modifications

9. The applicant shall modify page 24, Section G.11.a.2 and shall have the photometric analysis at time of site plan review process, as approved by the Planning and Development Department.
10. The applicant shall modify page 24, Section G.11.a.3 to "partially shield exterior lighting," as approved by the Planning and Development Department.
11. The applicant shall modify page 27, Section G.12.d and delete the reference to allow "existing 6-foot walls may remain," as approved by the Planning and Development Department.
12. The applicant shall update page 4, Section 2, uses of the PUD to correct the wording to "conditions/limitations," as approved by the Planning and Development Department.
13. The applicant shall update page 4, Section 3, standards of the PUD to correct the wording to "59th Avenue," as approved by the Planning and Development Department.
14. The applicant shall update page 7, Section 1, statement of conformity and insert a period after "City of Phoenix General Plan," as approved by the Planning and Development Department.
15. The applicant shall update page 11, Section F.4.c and correct the spelling to "fifty," as approved by the Planning and Development Department.
16. The applicant shall modify page 28 and remove the "note" from the top of the page, as approved by the Planning and Development Department.

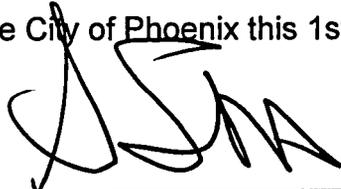
Street Transportation Stipulations

17. Submit a revised Traffic Impact Analysis to accommodate updated development plans per the PUD requirements. The development shall be responsible for any necessary dedications and improvements to the street network as approved by the Street Transportation Department.
18. The developer shall construct all streets adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidentals as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
19. A Red Border Letter shall be filed with the Arizona Department of Transportation (ADOT) notifying them of this project. The response from ADOT shall be included in the Appendix of the traffic study. Potential right-of-way requirements need to be addressed in ADOT's response.
20. The applicant shall revise the Traffic Impact Study in accordance with comments provided by the Street Transportation Department and with final approval by the Street Transportation Department prior to preliminary site plan approval.
21. The developer shall work with the neighborhood to pay for traffic mitigation measures along Fillmore Street adjacent to the subject site as approved or modified by the Street Transportation Department.

SECTION 3: 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.

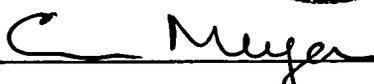
PASSED by the Council of the City of Phoenix this 1st day of May, 2013.





MAYOR

ATTEST:



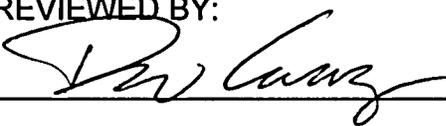
City Clerk

APPROVED AS TO FORM:



Acting City Attorney *MLW*

REVIEWED BY:



City Manager

MLW:tml:1047321v1: (CM#54) (Item #81) 5/1/13

Attachments:

A - Legal Description (6 Pages)

B - Ordinance Location Map (1 Page)

ATTACHMENT A

LEGAL DESCRIPTION FOR Z-43-12-7

PARCEL NO. 1:

THE EAST THREE-QUARTERS OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 1 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN;

EXCEPT ANY PORTION LYING WITHIN THAT CERTAIN DITCH KNOWN AS A SUBLATERAL TO LATERAL 14 OF THE GRAND CANAL AS THE SAID SUBLATERAL IS NOW LOCATED AND CONSTRUCTED THROUGH, OVER AND ACROSS THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 1 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, THE CENTER LINE OF THE SAID SUBLATERAL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SAID SECTION 6, AND USING AS A BASE THE EAST BOUNDARY LINE OF THE SAID SECTION, (THE SAID EAST BOUNDARY LINE HAVING A BEARING OF NORTH 0 DEGREES 40 MINUTES EAST, BASED ON A MAGNETIC BEARING OF NORTH 13 DEGREES 42 MINUTES WEST);

THENCE NORTH 00 DEGREES 40 MINUTES EAST, A DISTANCE OF 1323.00 FEET;

THENCE NORTH 89 DEGREES 20 MINUTES WEST, A DISTANCE OF 26.00 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 88 DEGREES 56 MINUTES WEST, A DISTANCE OF 574.00 FEET;

THENCE SOUTH 89 DEGREES 00 MINUTES WEST, A DISTANCE OF 600.00 FEET;

THENCE SOUTH 89 DEGREES 40 MINUTES WEST, A DISTANCE OF 440.00 FEET;

THENCE SOUTH 89 DEGREES 15 MINUTES WEST, A DISTANCE OF 1001.00 FEET TO A POINT IN THE NORTH AND SOUTH MID-SECTION LINE OF THE SAID SECTION 6, FROM WHICH POINT THE SOUTH QUARTER CORNER OF THE SAID SECTION BEARS SOUTH 00 DEGREES 26 MINUTES WEST, A DISTANCE OF 1309.60 FEET; AND

EXCEPT THAT PORTION CONVEYED TO THE CITY OF PHOENIX, IN INSTRUMENT NUMBERS 2005-215472 OF OFFICIAL RECORDS AND 2005-0215474 OF OFFICIAL RECORDS; DESCRIBED AS FOLLOWS:

THE NORTH 22.00 FEET OF THE SOUTH 55.00 FEET OF THE EAST THREE-QUARTERS

OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 1 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

PARCEL NO. 2:

THE EAST HALF OF THE WEST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER AND THE WEST QUARTER OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 1 NORTH, RANGE 2 EAST, GILA AND SALT RIVER BASE AND MERIDIAN;

EXCEPT ANY PORTION LYING WITHIN THAT CERTAIN DITCH KNOWN AS A SUBLATERAL TO LATERAL 14 OF THE GRAND CANAL AS THE SAID SUBLATERAL IS NOW LOCATED AND CONSTRUCTED THROUGH, OVER AND ACROSS THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 1 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, THE CENTER LINE OF THE SAID SUBLATERAL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SAID SECTION 6, AND USING AS A BASE THE EAST BOUNDARY LINE OF THE SAID SECTION, (THE SAID EAST BOUNDARY LINE HAVING A BEARING OF NORTH 0 DEGREES 40 MINUTES EAST, BASED ON A MAGNETIC BEARING OF NORTH 13 DEGREES 42 MINUTES WEST);

THENCE NORTH 00 DEGREES 40 MINUTES EAST, A DISTANCE OF 1323.00 FEET;

THENCE NORTH 89 DEGREES 20 MINUTES WEST, A DISTANCE OF 26.00 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 88 DEGREES 56 MINUTES WEST, A DISTANCE OF 574.00 FEET;

THENCE SOUTH 89 DEGREES 00 MINUTES WEST, A DISTANCE OF 600.00 FEET;

THENCE SOUTH 89 DEGREES 40 MINUTES WEST, A DISTANCE OF 440.00 FEET;

THENCE SOUTH 89 DEGREES 15 MINUTES WEST, A DISTANCE OF 1001.00 FEET TO A POINT IN THE NORTH AND SOUTH MID-SECTION LINE OF THE SAID SECTION 6, FROM WHICH POINT THE SOUTH QUARTER CORNER OF THE SAID SECTION BEARS SOUTH 00 DEGREES 26 MINUTES WEST, A DISTANCE OF 1309.60 FEET; AND

EXCEPT THAT PORTION CONVEYED TO THE CITY OF PHOENIX, IN INSTRUMENT NUMBER 2005-0190120 OF OFFICIAL RECORDS, DESCRIBED AS FOLLOWS:

THE NORTH 22.00 FEET OF THE SOUTH 55.00 FEET OF THE EAST HALF OF THE WEST HALF AND THE WEST QUARTER OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 1 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

PARCEL NO. 3:

THE WEST HALF OF THE WEST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER AND THE EAST QUARTER OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 1 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT ANY PORTION LYING WITHIN THAT CERTAIN DITCH KNOWN AS A SUBLATERAL TO LATERAL 14 OF THE GRAND CANAL AS THE SAID SUBLATERAL IS NOW LOCATED AND CONSTRUCTED THROUGH, OVER AND ACROSS THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 1 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, THE CENTER LINE OF THE SAID SUBLATERAL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SAID SECTION 6, AND USING AS A BASE THE EAST BOUNDARY LINE OF THE SAID SECTION, (THE SAID EAST BOUNDARY LINE HAVING A BEARING OF NORTH 0 DEGREES 40 MINUTES EAST, BASED ON A MAGNETIC BEARING OF NORTH 13 DEGREES 42 MINUTES WEST);

THENCE NORTH 00 DEGREES 40 MINUTES EAST, A DISTANCE OF 1323.00 FEET;

THENCE NORTH 89 DEGREES 20 MINUTES WEST, A DISTANCE OF 26.00 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 88 DEGREES 56 MINUTES WEST, A DISTANCE OF 574.00 FEET;

THENCE SOUTH 89 DEGREES 00 MINUTES WEST, A DISTANCE OF 600.00 FEET;

THENCE SOUTH 89 DEGREES 40 MINUTES WEST, A DISTANCE OF 440.00 FEET;

THENCE SOUTH 89 DEGREES 15 MINUTES WEST, A DISTANCE OF 1001.00 FEET TO A POINT IN THE NORTH AND SOUTH MID-SECTION LINE OF THE SAID SECTION 6, FROM WHICH POINT THE SOUTH QUARTER CORNER OF THE SAID SECTION BEARS SOUTH 00 DEGREES 26 MINUTES WEST, A DISTANCE OF 1309.60 FEET; AND

EXCEPT THAT PORTION CONVEYED TO THE CITY OF PHOENIX, IN INSTRUMENT NUMBER 2004-078521 OF OFFICIAL RECORDS DESCRIBED AS FOLLOWS:

THE NORTH 22.00 FEET OF THE SOUTH 55.00 FEET OF THE WEST HALF OF THE WEST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 1 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA; AND EXCEPT THAT PORTION CONVEY TO THE CITY OF PHOENIX, IN INSTRUMENT NUMBER 2004-0078519 OF OFFICIAL RECORDS, DESCRIBED AS FOLLOWS:

THE NORTH 17.00 FEET OF THE SOUTH 50.00 FEET OF THE EAST QUARTER OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 6, AND THE NORTH 5.00 FEET OF THE SOUTH 55.00 FEET OF THE EAST 25.00 FEET OF THE EAST QUARTER OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 1 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

PARCEL NO. 4:

A PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 1 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A BRASS CAP FLUSH WITH THE PAVEMENT MARKING THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER FROM WHICH A BRASS CAP IN A HAND HOLE MARKING THE SOUTHEAST CORNER OF SAID SECTION 6 BEARS SOUTH 89 DEGREES 59 MINUTES 43 SECONDS EAST, A DISTANCE OF 1311.64 FEET;

THENCE NORTH 00 DEGREES 01 MINUTES 34 SECONDS WEST, A DISTANCE OF 55.00 FEET ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER TO THE POINT OF BEGINNING;

THENCE CONTINUING NORTH 00 DEGREES 01 MINUTES 34 SECONDS WEST, A DISTANCE OF 1266.67 FEET ALONG SAID WEST LINE TO THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER;

THENCE NORTH 89 DEGREES 41 MINUTES 33 SECONDS EAST, ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 1158.89 FEET;

THENCE SOUTH 76 DEGREES 14 MINUTES 39 SECONDS EAST, A DISTANCE OF 102.88 FEET TO THE SOUTH LINE OF THE NORTH 25.00 FEET OF SAID SOUTHEAST QUARTER;

THENCE NORTH 89 DEGREES 41 MINUTES 33 SECONDS EAST ALONG SAID SOUTH LINE, A DISTANCE OF 5.00 FEET;

THENCE SOUTH 45 DEGREES 04 MINUTES 31 SECONDS EAST, A DISTANCE OF 16.90 FEET TO THE WEST LINE OF THE EAST 40.00 FEET OF SAID SOUTHEAST QUARTER;

THENCE SOUTH 00 DEGREES 09 MINUTES 25 SECONDS WEST ALONG SAID WEST LINE, A DISTANCE OF 426.52 FEET;

THENCE SOUTH 01 DEGREES 18 MINUTES 10 SECONDS WEST, A DISTANCE OF 220.52 FEET;

THENCE NORTH 89 DEGREES 50 MINUTES 35 SECONDS WEST, A DISTANCE OF 230.00 FEET;

THENCE SOUTH 00 DEGREES 09 MINUTES 25 SECONDS WEST, A DISTANCE OF 63.25 FEET;

THENCE NORTH 89 DEGREES 59 MINUTES 43 SECONDS WEST, A DISTANCE OF 669.92 FEET;

THENCE SOUTH 00 DEGREES 09 MINUTES 25 SECONDS WEST, A DISTANCE OF 527.00 FEET TO THE NORTH LINE OF THE SOUTH 55.00 FEET OF SAID SOUTHEAST QUARTER AND THE NORTHERLY RIGHT-OF-WAY LINE OF VAN BUREN STREET AS DESCRIBED IN DOCUMENT NOS. 2004-1521174 AND 2004-1521176, RECORDS OF MARICOPA COUNTY;

THENCE NORTH 89 DEGREES 59 MINUTES 43 SECONDS WEST, A DISTANCE OF 367.48 FEET ALONG SAID NORTHERLY RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING.

PARCEL NO. 5:

THAT PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 1 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 6 FROM WHICH THE SOUTHEAST CORNER OF SAID SECTION 6 BEARS SOUTH 89 DEGREES 59 MINUTES 43 SECONDS EAST, 1311.64 FEET;

THENCE SOUTH 89 DEGREES 59 MINUTES 43 SECONDS EAST, 367.31 FEET;

THENCE NORTH 00 DEGREES 09 MINUTES 25 SECONDS EAST, 55.00 FEET TO THE NORTH LINE OF THE SOUTH 55.00 FEET OF SAID SECTION 6 AND THE POINT OF BEGINNING;

THENCE CONTINUING NORTH 00 DEGREES 09 MINUTES 25 SECONDS EAST, 527.00 FEET;

THENCE SOUTH 89 DEGREES 59 MINUTES 43 SECONDS EAST, 669.92 FEET;

THENCE SOUTH 00 DEGREES 09 MINUTES 25 SECONDS WEST, 186.75 FEET;

THENCE SOUTH 89 DEGREES 50 MINUTES 35 SECONDS EAST, 225.00 FEET TO THE EAST RIGHT OF WAY LINE OF 59TH AVENUE;

THENCE SOUTH 01 DEGREES 18 MINUTES 10 SECONDS WEST, 79.54 FEET ALONG SAID EAST RIGHT OF WAY LINE TO THE WEST LINE OF THE EAST 51.00 FEET OF SAID SECTION 6;

THENCE SOUTH 00 DEGREES 09 MINUTES 25 SECONDS WEST, 228.14 FEET ALONG SAID WEST LINE;

THENCE SOUTH 45 DEGREES 11 MINUTES 36 SECONDS WEST, 49.66 FEET TO THE NORTH LINE OF THE SOUTH 52.00 FEET OF SAID SECTION 6;

THENCE NORTH 89 DEGREES 59 MINUTES 43 SECONDS WEST, 40.01 FEET ALONG SAID NORTH LINE;

THENCE ALONG THE NORTHERLY RIGHT OF WAY LINE OF VAN BUREN STREET AS DESCRIBED IN DOCUMENT NO. 2004-1521174 OF OFFICIAL RECORDS, RECORDS OF MARICOPA COUNTY, ARIZONA, THE FOLLOWING 6 COURSES:

THENCE NORTH 77 DEGREES 27 MINUTES 59 SECONDS WEST, 46.10 FEET;

THENCE NORTH 89 DEGREES 59 MINUTES 43 SECONDS WEST, 70.00 FEET;

THENCE SOUTH 72 DEGREES 28 MINUTES 45 SECONDS WEST, 39.85 FEET;

THENCE NORTH 89 DEGREES 59 MINUTES 43 SECONDS WEST, 522.00 FEET;

THENCE NORTH 00 DEGREES 00 MINUTES 17 SECONDS EAST, 5.00 FEET;

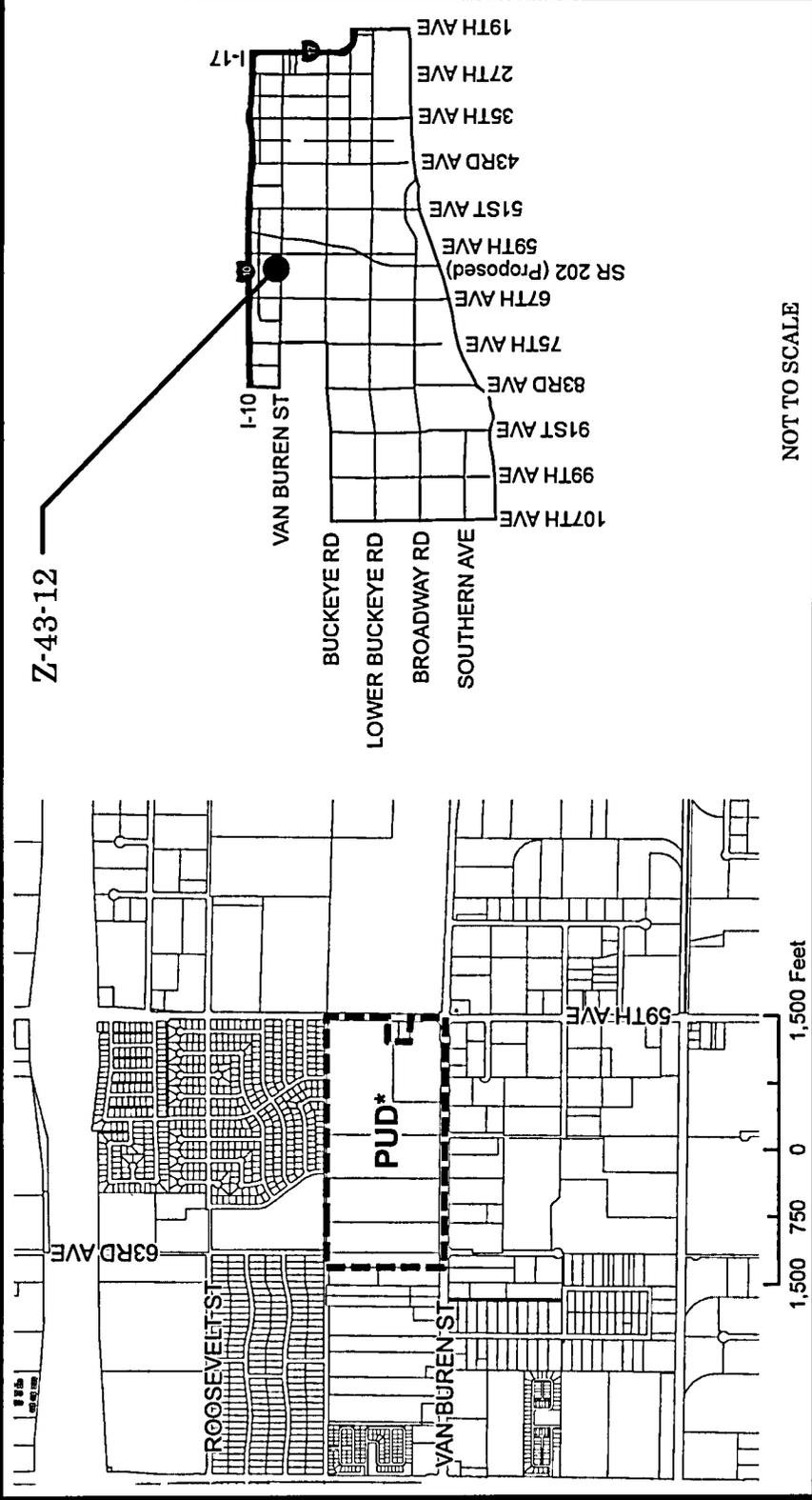
THENCE NORTH 89 DEGREES 59 MINUTES 43 SECONDS WEST, 143.18 FEET TO THE POINT OF BEGINNING.

ATTACHMENT B

ORDINANCE LOCATION MAP

Zoning Case Number: Z-43-12-7
Zoning Overlay: N/A
Planning Village: Estrella

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



NOT TO SCALE

Drawn Date: 4/9/13

Map Document N \PDF_Maps\Ordinance_Map\2013

Appendix C: PUD Amendment (Add 2 lots located along 59th Avenue.)

Legal Description and Graphic Exhibit

SOUTH PARCEL

APN 103-26-003B
(INCLUDING ROW)
JN 013-2127

THAT PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 1 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 6;

THENCE N00°09'42"E, A DISTANCE OF 394.52 FEET ALONG THE EAST LINE OF SAID SECTION 6 TO THE **POINT OF BEGINNING**;

THENCE N89°50'35"W, A DISTANCE OF 274.37 FEET;

THENCE N00°09'25"E, A DISTANCE OF 125.00 FEET;

THENCE S89°50'35"E, A DISTANCE OF 274.38 FEET TO THE EAST LINE OF SAID SECTION 6;

THENCE S00°09'42"W, A DISTANCE OF 125.00 FEET ALONG SAID EAST LINE TO THE **POINT OF BEGINNING**.

SAID PARCEL CONTAINS 34,297 SQUARE FEET OR 0.787 ACRES, MORE OR LESS.

OLSSON ASSOCIATES
7250 NORTH 16TH STREET, SUITE 210
PHOENIX, ARIZONA 85020
(602) 748-1000

NORTH PARCEL
APN 103-26-003C
(INCLUDING ROW)
JN 013-2127

THAT PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 1 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 6;

THENCE N00°09'42"E, A DISTANCE OF 519.52 FEET ALONG THE EAST LINE OF SAID SECTION 6 TO THE **POINT OF BEGINNING**;

THENCE N89°50'35"W, A DISTANCE OF 274.38 FEET;

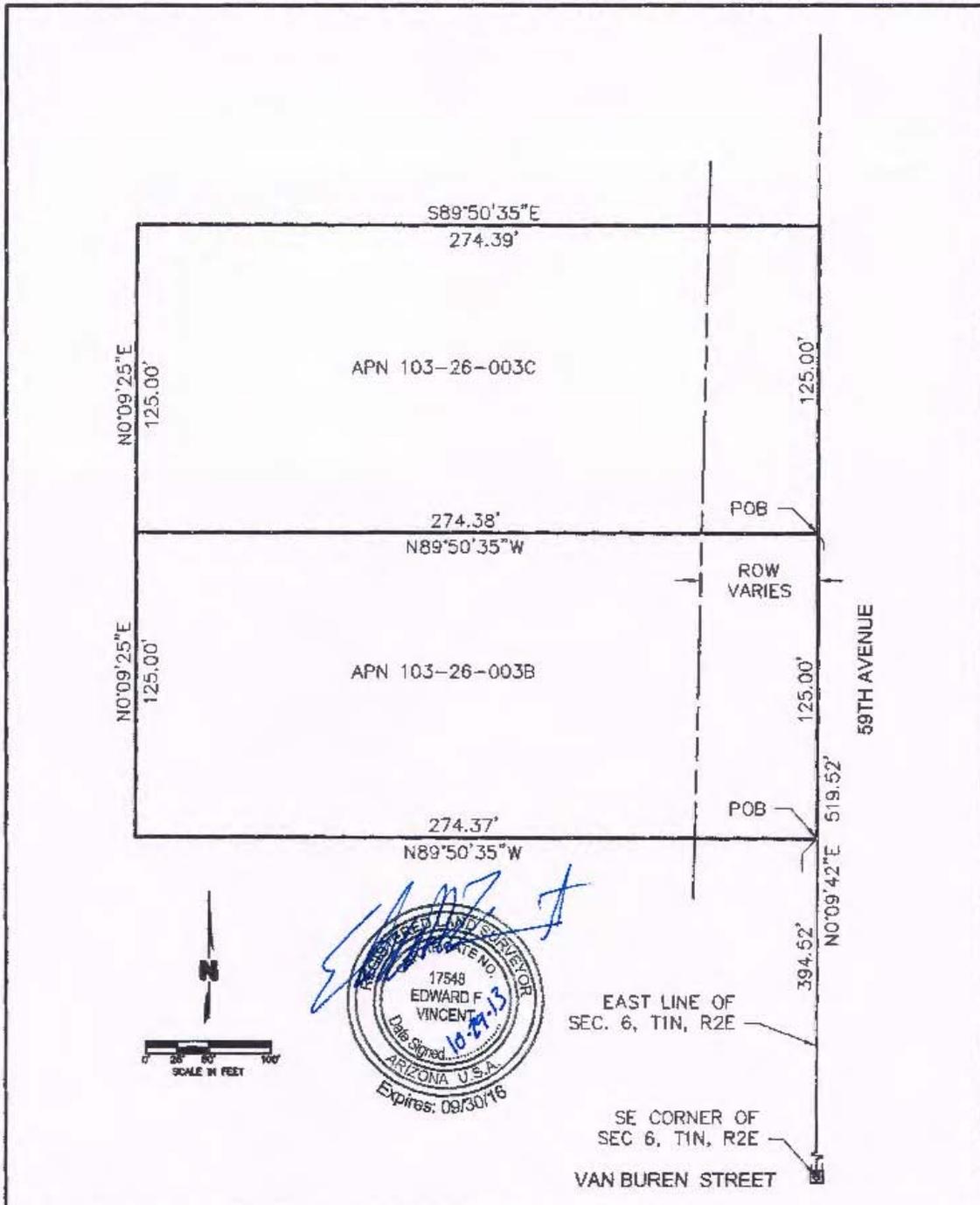
THENCE N00°09'25"E, A DISTANCE OF 125.00 FEET;

THENCE S89°50'35"E, A DISTANCE OF 274.39 FEET TO THE EAST LINE OF SAID SECTION 6;

THENCE S00°09'42"W, A DISTANCE OF 125.00 FEET ALONG SAID EAST LINE TO THE **POINT OF BEGINNING**.

SAID PARCEL CONTAINS 34,298 SQUARE FEET OR 0.787 ACRES, MORE OR LESS.

OLSSON ASSOCIATES
7250 NORTH 16TH STREET, SUITE 210
PHOENIX, ARIZONA 85020
(602) 748-1000



PROJECT NO: 13-2127	59TH & VAN BUREN LEGAL DESCRIPTION EXHIBIT MAP		7250 North 18th Street Suite 210 Phoenix, AZ 85020-0282 TEL 602.745.1000 FAX 602.748.1091	EXHIBIT
DRAWN BY: EFV			1	
DATE: 10/29/2013				

Appendix D: PUD Amendment (Add 2 lots located along 59th Avenue.) Conditions of Zoning Approval.

[Council Approval on April 2, 2014, Ordinance # G-5902.]

5902G-12-1-1--
Yorkm

ORDINANCE G-5902

AN ORDINANCE AMENDING THE CODE OF THE CITY OF PHOENIX, ARIZONA, PART II, CHAPTER 41, THE ZONING ORDINANCE OF THE CITY OF PHOENIX, BY AMENDING SECTION 601, THE ZONING MAP OF THE CITY OF PHOENIX, CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-43-A-12-7) FROM R-5 (MULTIPLE FAMILY RESIDENCE) AND PUD (PLANNED UNIT DEVELOPMENT) TO PUD (PLANNED UNIT DEVELOPMENT).

WHEREAS, on December 9, 2013, the City of Phoenix Planning and Development Department received, in compliance with the requirements of the City of Phoenix Zoning Ordinance, Section 506, a written request for rezoning from Paul Gilbert of Beus Gilbert, PLLC, having authorization to represent the owner, Wentworth Property Company, LLC of an approximately 84.73 acre property at the northwest corner of 59th Avenue and Van Buren Street in a portion of Section 6, Township 1 North, Range 2 East, as described more specifically in Attachment "A", attached hereto and incorporated herein by this reference; and,

WHEREAS, pursuant to A.R.S. § 9-462.04, the Planning Commission, held a public hearing on February 11, 2014, and at this hearing recommended that the City Council approve this rezoning request with the recommended staff conditions, as modified; and,

WHEREAS, the City Council, at their regularly scheduled meeting held on March 19, 2014, has determined that, in accordance with A.R.S. § 9-462.01.F, this rezoning request, with the appropriate site specific requirements provided in Section 2, is consistent with and conforms to the General Plan, will conserve and promote the public health, safety and general welfare, and should be approved, subject to the conditions herein.

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

SECTION 1: The zoning of an approximately 84.73 acre property located at the northwest corner of 59th Avenue and Van Buren Street in a portion of Section 6, Township 1 North, Range 2 East, as described more specifically in Attachment "A", is hereby changed from "R-5" (Multiple Family Residence) and "PUD" (Planned Unit Development) to "PUD" (Planned Unit Development) and that 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 2: The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-43-A-12-7, on file with the Planning and Development Department. Due to the site's specific physical conditions and the use district applied for by the applicant, this rezoning is subject to compliance with the PUD narrative and 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 Z-43-A-12-7 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 December 30, 2013, as modified by the following stipulations.

- a. Page 24. Development Standards, 3. Perimeter Standards.4: sentence shall read as follows "a mix of tree sizes shall be used along Van Buren Street and 59th Avenue. These areas should contain a mix of two (2) inch caliper trees fifty percent (50%) and three (3) inch caliper trees fifty percent (50%) (in accordance with the Arizona Nurseryman's Association Standards).
- b. Page 26. Development Standards, 7. Retention Basin Landscape Area: Applicant shall add the following standard "(5) Any screened and not visible from Fillmore Street as well as any other retention basins within the development shall utilize fifty percent (50%) live landscaping coverage."

New Development Standards

2. That prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims in a form approved by the City Attorney's Office. 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.

Street Transportation Stipulations

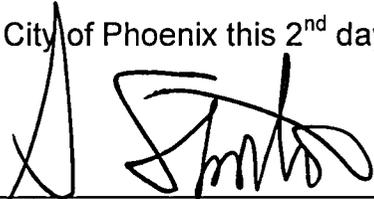
3. Submit a revised Traffic Impact Analysis to accommodate updated development plans per the PUD requirements. The development shall be responsible for any necessary dedications and improvements to the street network as approved by the Street Transportation Department.
4. The developer shall construct all streets adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidentals as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
5. A Red Border Letter shall be filed with the Arizona Department of Transportation notifying them of this project. The response from ADOT shall be included in the Appendix of this study. Potential right-of-way requirements need to be addressed in ADOT's response.

- 6. The applicant shall revise the Traffic Impact Study in accordance with comments provided by the Street Transportation Department and with final approval by the Street Transportation Department prior to preliminary site plan approval.
- 7. The developer shall work with the neighborhood to pay for traffic mitigation measures along Fillmore Street adjacent to the subject site, as approved by the Street Transportation Department.
- 8. That prior to preliminary site plan approval, the landowner shall execute a Proposition 207 Waiver of Claims in a form approved by the City Attorney's Office. 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 3: 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.

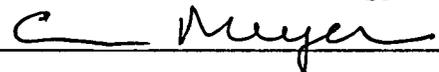
PASSED by the Council of the City of Phoenix this 2nd day of April, 2014.



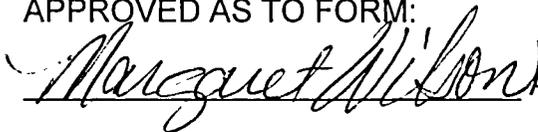


 MAYOR

ATTEST:


 _____ City Clerk

APPROVED AS TO FORM:


 _____ Acting City Attorney

REVIEWED BY:


 _____ City Manager

MLW tml 1112121v1. (CM#69) (Item#19) 4/2/14

Attachments:

- A - Legal Description (7 Pages)
- B - Ordinance Location Map (1 Page)

ATTACHMENT A

LEGAL DESCRIPTION FOR Z-43-A-12-7

PARCEL NO. 1:

THE EAST THREE-QUARTERS OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 1 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN;

EXCEPT ANY PORTION LYING WITHIN THAT CERTAIN DITCH KNOWN AS A SUB-LATERAL TO LATERAL 14 OF THE GRAND CANAL AS THE SAID SUB-LATERAL IS NOW LOCATED AND CONSTRUCTED THROUGH, OVER AND ACROSS THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 1 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, THE CENTER LINE OF THE SAID SUB-LATERAL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SAID SECTION 6, AND USING AS A BASE THE EAST BOUNDARY LINE OF THE SAID SECTION, (THE SAID EAST BOUNDARY LINE HAVING A BEARING OF NORTH 0 DEGREES 40 MINUTES EAST, BASED ON A MAGNETIC BEARING OF NORTH 13 DEGREES 42 MINUTES WEST);

THENCE NORTH 00 DEGREES 40 MINUTES EAST, A DISTANCE OF 1323.00 FEET;

THENCE NORTH 89 DEGREES 20 MINUTES WEST, A DISTANCE OF 26.00 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 88 DEGREES 56 MINUTES WEST, A DISTANCE OF 574.00 FEET;

THENCE SOUTH 89 DEGREES 00 MINUTES WEST, A DISTANCE OF 600.00 FEET;

THENCE SOUTH 89 DEGREES 40 MINUTES WEST, A DISTANCE OF 440.00 FEET;

THENCE SOUTH 89 DEGREES 15 MINUTES WEST, A DISTANCE OF 1001.00 FEET TO A POINT IN THE NORTH AND SOUTH MID-SECTION LINE OF THE SAID SECTION 6, FROM WHICH POINT THE SOUTH QUARTER CORNER OF THE SAID SECTION BEARS SOUTH 00 DEGREES 26 MINUTES WEST, A DISTANCE OF 1309.60 FEET; AND

EXCEPT THAT PORTION CONVEYED TO THE CITY OF PHOENIX, IN INSTRUMENT NUMBERS 2005-215472 OF OFFICIAL RECORDS AND 2005-0215474 OF OFFICIAL RECORDS; DESCRIBED AS FOLLOWS:

THE NORTH 22.00 FEET OF THE SOUTH 55.00 FEET OF THE EAST THREE-QUARTERS OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE

SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 1 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

PARCEL NO. 2:

THE EAST HALF OF THE WEST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER AND THE WEST QUARTER OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 1 NORTH, RANGE 2 EAST, GILA AND SALT RIVER BASE AND MERIDIAN;

EXCEPT ANY PORTION LYING WITHIN THAT CERTAIN DITCH KNOWN AS A SUB-LATERAL TO LATERAL 14 OF THE GRAND CANAL AS THE SAID SUB-LATERAL IS NOW LOCATED AND CONSTRUCTED THROUGH, OVER AND ACROSS THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 1 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, THE CENTER LINE OF THE SAID SUB-LATERAL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SAID SECTION 6, AND USING AS A BASE THE EAST BOUNDARY LINE OF THE SAID SECTION, (THE SAID EAST BOUNDARY LINE HAVING A BEARING OF NORTH 0 DEGREES 40 MINUTES EAST, BASED ON A MAGNETIC BEARING OF NORTH 13 DEGREES 42 MINUTES WEST);

THENCE NORTH 00 DEGREES 40 MINUTES EAST, A DISTANCE OF 1323.00 FEET;

THENCE NORTH 89 DEGREES 20 MINUTES WEST, A DISTANCE OF 26.00 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 88 DEGREES 56 MINUTES WEST, A DISTANCE OF 574.00 FEET;

THENCE SOUTH 89 DEGREES 00 MINUTES WEST, A DISTANCE OF 600.00 FEET;

THENCE SOUTH 89 DEGREES 40 MINUTES WEST, A DISTANCE OF 440.00 FEET;

THENCE SOUTH 89 DEGREES 15 MINUTES WEST, A DISTANCE OF 1001.00 FEET TO A POINT IN THE NORTH AND SOUTH MID-SECTION LINE OF THE SAID SECTION 6, FROM WHICH POINT THE SOUTH QUARTER CORNER OF THE SAID SECTION BEARS SOUTH 00 DEGREES 26 MINUTES WEST, A DISTANCE OF 1309.60 FEET; AND

EXCEPT THAT PORTION CONVEYED TO THE CITY OF PHOENIX, IN INSTRUMENT NUMBER 2005-0190120 OF OFFICIAL RECORDS, DESCRIBED AS FOLLOWS:

THE NORTH 22.00 FEET OF THE SOUTH 55.00 FEET OF THE EAST HALF OF THE WEST HALF AND THE WEST QUARTER OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 1 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

PARCEL NO. 3:

THE WEST HALF OF THE WEST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER AND THE EAST QUARTER OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 1 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT ANY PORTION LYING WITHIN THAT CERTAIN DITCH KNOWN AS A SUB-LATERAL TO LATERAL 14 OF THE GRAND CANAL AS THE SAID SUB-LATERAL IS NOW LOCATED AND CONSTRUCTED THROUGH, OVER AND ACROSS THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 1 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, THE CENTER LINE OF THE SAID SUB-LATERAL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SAID SECTION 6, AND USING AS A BASE THE EAST BOUNDARY LINE OF THE SAID SECTION, (THE SAID EAST BOUNDARY LINE HAVING A BEARING OF NORTH 0 DEGREES 40 MINUTES EAST, BASED ON A MAGNETIC BEARING OF NORTH 13 DEGREES 42 MINUTES WEST);

THENCE NORTH 00 DEGREES 40 MINUTES EAST, A DISTANCE OF 1323.00 FEET;

THENCE NORTH 89 DEGREES 20 MINUTES WEST, A DISTANCE OF 26.00 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 88 DEGREES 56 MINUTES WEST, A DISTANCE OF 574.00 FEET;

THENCE SOUTH 89 DEGREES 00 MINUTES WEST, A DISTANCE OF 600.00 FEET;

THENCE SOUTH 89 DEGREES 40 MINUTES WEST, A DISTANCE OF 440.00 FEET;

THENCE SOUTH 89 DEGREES 15 MINUTES WEST, A DISTANCE OF 1001.00 FEET TO A POINT IN THE NORTH AND SOUTH MID-SECTION LINE OF THE SAID SECTION 6, FROM WHICH POINT THE SOUTH QUARTER CORNER OF THE SAID SECTION BEARS SOUTH 00 DEGREES 26 MINUTES WEST, A DISTANCE OF 1309.60 FEET; AND

EXCEPT THAT PORTION CONVEYED TO THE CITY OF PHOENIX, IN INSTRUMENT NUMBER 2004-078521 OF OFFICIAL RECORDS DESCRIBED AS FOLLOWS:

THE NORTH 22.00 FEET OF THE SOUTH 55.00 FEET OF THE WEST HALF OF THE WEST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 1 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA; AND EXCEPT THAT PORTION CONVEY TO THE CITY OF PHOENIX, IN INSTRUMENT NUMBER 2004-0078519 OF OFFICIAL RECORDS, DESCRIBED AS FOLLOWS:

THE NORTH 17.00 FEET OF THE SOUTH 50.00 FEET OF THE EAST QUARTER OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 6, AND THE NORTH 5.00 FEET OF THE SOUTH 55.00 FEET OF THE EAST 25.00 FEET OF THE EAST QUARTER OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 1 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

PARCEL NO. 4:

A PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 1 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A BRASS CAP FLUSH WITH THE PAVEMENT MARKING THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER FROM WHICH A BRASS CAP IN A HAND HOLE MARKING THE SOUTHEAST CORNER OF SAID SECTION 6 BEARS SOUTH 89 DEGREES 59 MINUTES 43 SECONDS EAST, A DISTANCE OF 1311.64 FEET;

THENCE NORTH 00 DEGREES 01 MINUTES 34 SECONDS WEST, A DISTANCE OF 55.00 FEET ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER TO THE POINT OF BEGINNING;

THENCE CONTINUING NORTH 00 DEGREES 01 MINUTES 34 SECONDS WEST, A DISTANCE OF 1266.67 FEET ALONG SAID WEST LINE TO THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER;

THENCE NORTH 89 DEGREES 41 MINUTES 33 SECONDS EAST, ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 1158.89 FEET;

THENCE SOUTH 76 DEGREES 14 MINUTES 39 SECONDS EAST, A DISTANCE OF 102.88 FEET TO THE SOUTH LINE OF THE NORTH 25.00 FEET OF SAID SOUTHEAST QUARTER;

THENCE NORTH 89 DEGREES 41 MINUTES 33 SECONDS EAST ALONG SAID SOUTH LINE, A DISTANCE OF 5.00 FEET;

THENCE SOUTH 45 DEGREES 04 MINUTES 31 SECONDS EAST, A DISTANCE OF 16.90 FEET TO THE WEST LINE OF THE EAST 40.00 FEET OF SAID SOUTHEAST QUARTER;

THENCE SOUTH 00 DEGREES 09 MINUTES 25 SECONDS WEST ALONG SAID WEST LINE, A DISTANCE OF 426.52 FEET;

THENCE SOUTH 01 DEGREES 18 MINUTES 10 SECONDS WEST, A DISTANCE OF 220.52 FEET;

THENCE NORTH 89 DEGREES 50 MINUTES 35 SECONDS WEST, A DISTANCE OF 230.00 FEET;

THENCE SOUTH 00 DEGREES 09 MINUTES 25 SECONDS WEST, A DISTANCE OF 63.25 FEET;

THENCE NORTH 89 DEGREES 59 MINUTES 43 SECONDS WEST, A DISTANCE OF 669.92 FEET;

THENCE SOUTH 00 DEGREES 09 MINUTES 25 SECONDS WEST, A DISTANCE OF 527.00 FEET TO THE NORTH LINE OF THE SOUTH 55.00 FEET OF SAID SOUTHEAST QUARTER AND THE NORTHERLY RIGHT-OF-WAY LINE OF VAN BUREN STREET AS DESCRIBED IN DOCUMENT NOS. 2004-1521174 AND 2004-1521176, RECORDS OF MARICOPA COUNTY;

THENCE NORTH 89 DEGREES 59 MINUTES 43 SECONDS WEST, A DISTANCE OF 367.48 FEET ALONG SAID NORTHERLY RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING.

PARCEL NO. 5:

THAT PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 1 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 6 FROM WHICH THE SOUTHEAST CORNER OF SAID SECTION 6 BEARS SOUTH 89 DEGREES 59 MINUTES 43 SECONDS EAST, 1311.64 FEET;

THENCE SOUTH 89 DEGREES 59 MINUTES 43 SECONDS EAST, 367.31 FEET;

THENCE NORTH 00 DEGREES 09 MINUTES 25 SECONDS EAST, 55.00 FEET TO THE NORTH LINE OF THE SOUTH 55.00 FEET OF SAID SECTION 6 AND THE POINT OF BEGINNING;

THENCE CONTINUING NORTH 00 DEGREES 09 MINUTES 25 SECONDS EAST, 527.00 FEET;

THENCE SOUTH 89 DEGREES 59 MINUTES 43 SECONDS EAST, 669.92 FEET;

THENCE SOUTH 00 DEGREES 09 MINUTES 25 SECONDS WEST, 186.75 FEET;

THENCE SOUTH 89 DEGREES 50 MINUTES 35 SECONDS EAST, 225.00 FEET TO THE EAST RIGHT OF WAY LINE OF 59TH AVENUE;

THENCE SOUTH 01 DEGREES 18 MINUTES 10 SECONDS WEST, 79.54 FEET ALONG SAID EAST RIGHT OF WAY LINE TO THE WEST LINE OF THE EAST 51.00 FEET OF SAID SECTION 6;

THENCE SOUTH 00 DEGREES 09 MINUTES 25 SECONDS WEST, 228.14 FEET ALONG SAID WEST LINE;

THENCE SOUTH 45 DEGREES 11 MINUTES 36 SECONDS WEST, 49.66 FEET TO THE NORTH LINE OF THE SOUTH 52.00 FEET OF SAID SECTION 6;

THENCE NORTH 89 DEGREES 59 MINUTES 43 SECONDS WEST, 40.01 FEET ALONG SAID NORTH LINE;

THENCE ALONG THE NORTHERLY RIGHT OF WAY LINE OF VAN BUREN STREET AS DESCRIBED IN DOCUMENT NO. 2004-1521174 OF OFFICIAL RECORDS, RECORDS OF MARICOPA COUNTY, ARIZONA, THE FOLLOWING 6 COURSES:

THENCE NORTH 77 DEGREES 27 MINUTES 59 SECONDS WEST, 46.10 FEET;

THENCE NORTH 89 DEGREES 59 MINUTES 43 SECONDS WEST, 70.00 FEET;

THENCE SOUTH 72 DEGREES 28 MINUTES 45 SECONDS WEST, 39.85 FEET;

THENCE NORTH 89 DEGREES 59 MINUTES 43 SECONDS WEST, 522.00 FEET;

THENCE NORTH 00 DEGREES 00 MINUTES 17 SECONDS EAST, 5.00 FEET;

THENCE NORTH 89 DEGREES 59 MINUTES 43 SECONDS WEST, 143.18 FEET TO THE POINT OF BEGINNING.

PARCEL NO. 6:

THAT PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 1 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 6;

THENCE N00°09'42"E, A DISTANCE OF 394.52 FEET ALONG THE EAST LINE OF SAID SECTION 6 TO THE POINT OF BEGINNING;

THENCE N89°50'35"W, A DISTANCE OF 274.37 FEET;

THENCE N00°09'25"E, A DISTANCE OF 125.00 FEET;

THENCE S89°50'35"E, A DISTANCE OF 274.38 FEET TO THE EAST LINE OF SAID SECTION 6;

THENCE S00°09'42"W, A DISTANCE OF 125.00 FEET ALONG SAID EAST LINE TO THE POINT OF BEGINNING.

PARCEL NO. 7:

THAT PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 1 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 6;

THENCE N00°09'42"E, A DISTANCE OF 519.52 FEET ALONG THE EAST LINE OF SAID SECTION 6 TO THE POINT OF BEGINNING;

THENCE N89°50'35"W, A DISTANCE OF 274.38 FEET;

THENCE N00°09'25"E, A DISTANCE OF 125.00 FEET;

THENCE S89°50'35"E, A DISTANCE OF 274.39 FEET TO THE EAST LINE OF SAID SECTION 6;

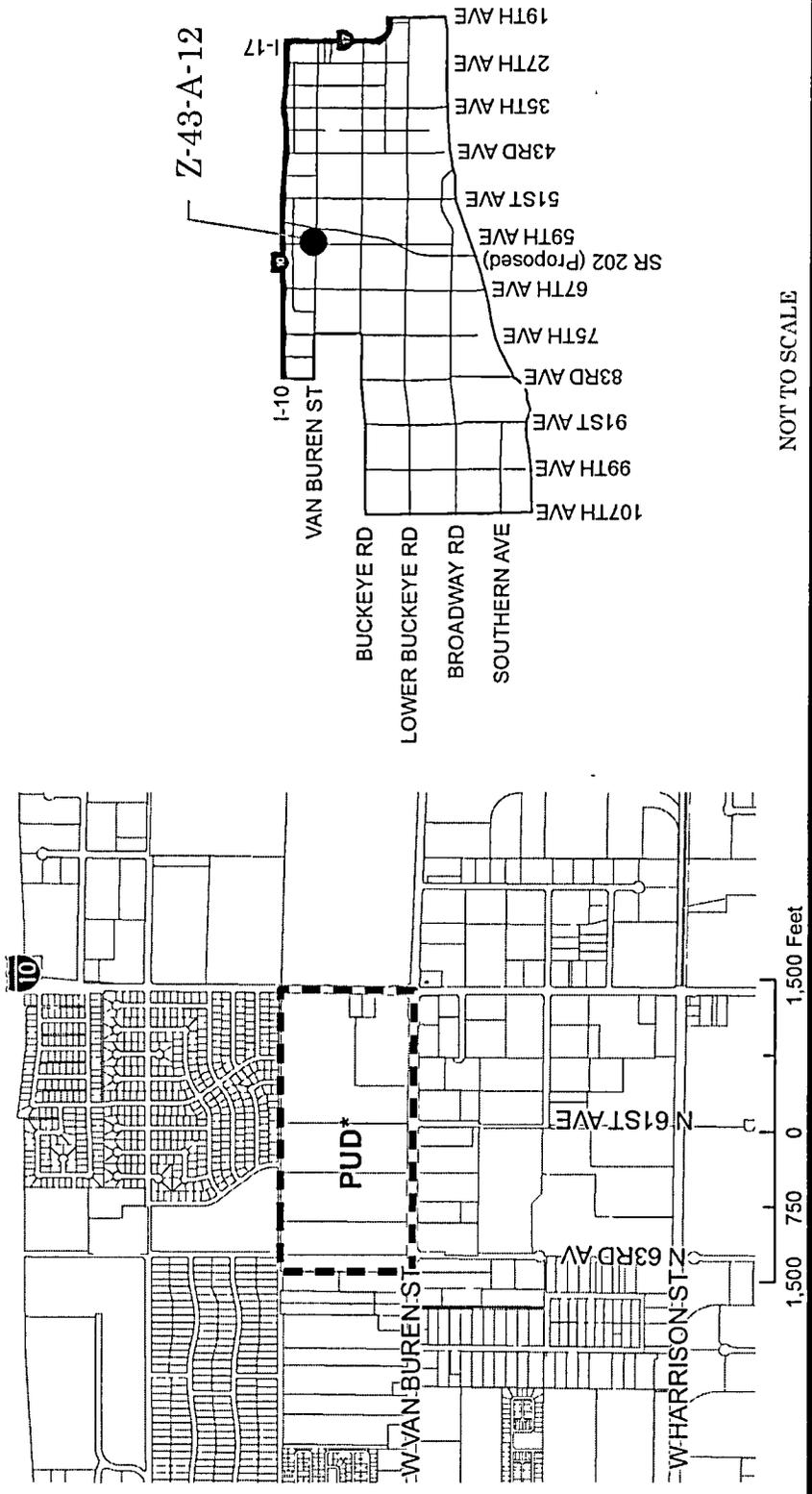
THENCE S00°09'42"W, A DISTANCE OF 125.00 FEET ALONG SAID EAST LINE TO THE POINT OF BEGINNING.

ATTACHMENT B

ORDINANCE LOCATION MAP

Zoning Case Number: Z-43-A-12-7
Zoning Overlay: N/A
Planning Village: Estrella

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



NOT TO SCALE

Drawn Date: 1/28/14

S:\Department Share\IS Share\PL GIS\IS_Team\Core_Functions\Zoning\SuppMaps_OrdMaps\2014 OrdZ-43-A-12_REVISED.mxd