

ORDINANCE G-7180

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-4-23-2) FROM R1-18 (APPROVED CP/BP PCD) (SINGLE-FAMILY RESIDENCE DISTRICT) (APPROVED COMMERCE PARK DISTRICT, BUSINESS PARK OPTION, PLANNED COMMUNITY DISTRICT) TO PUD (PLANNED UNIT DEVELOPMENT).

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

follows:

SECTION 1. The zoning of a 76.76-acre property located approximately 530 feet south of the southwest corner of 64th Street and Mayo Boulevard in a portion of Section 33, Township 4 North, Range 4 East, as described more specifically in Exhibit "A," is hereby changed from "R1-18 (Approved CP/BP PCD)" (Single-Family Residence District) (Approved Commerce Park District, Business Park Option, Planned Community District) to "PUD" (Planned Unit Development).

SECTION 2. The Planning and Development Director is instructed to modify the Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Exhibit "B."

SECTION 3. Due to the site's specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1. An updated Development Narrative for the Mayo Clinic PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped July 20, 2023, as modified by the following stipulations:
  - a. Front cover: Revise the submittal date information on the bottom to add the following: City Council adopted: [Add adoption date].
  - b. Page 5, Purpose and Intent, A2: Overall Design Concept: Update map image to indicate the ASU property (Development Parcel 3.CP/BP.3) is not a part.
  - c. Page 6, Land Use Plan, B2: Conceptual Site Plan Summary, second paragraph: Revise target of development from 3.3 million square feet to 2.17 million square feet.
  - d. Page 7, List of Uses: After the first paragraph, add a new paragraph stating, "the following uses are separated into a "Base" section and an "Enhanced" section. The "Base" section includes uses that would not trigger additional requirements. The "Enhanced" section includes uses that would trigger additional requirements, per Section D5 of this PUD".
  - e. Page 7, List of Uses: Add a header "Base Permitted Uses" above A.
  - f. Page 7, List of Uses: Move the "Enhanced Permitted Uses" header above B.

- g. Page 7, List of Uses, B.: Replace with the following:
- Non-residential uses permitted per Section 622, Commercial C-1 District, of the Phoenix Zoning Ordinance, subject to the following limitations:
- 1) Such uses are limited to no more than 500,000 square feet
  - 2) The maximum gross floor area for any one tenant or user shall not exceed 10,000 square feet
- h. Page 7, List of Uses: Add "Hospital" as a permitted use in the "Base" section after B.
- i. Page 7, List of Uses, Enhanced Permitted Uses: Delete text after "multifamily residential" for D, delete E (single-family residential), delete "or home" after community residence center, and re-letter accordingly.
- j. Page 7, List of Uses, Enhanced Permitted Uses: Delete G "Biomedical and medical research offices and/or laboratory" and re-letter accordingly.
- k. Page 9, Development Standards: After the first paragraph, add a new paragraph that states, "maximum building height and floor area ratio (FAR) standards are separated into a "Base" section and an "Enhanced" section. The "Base" section includes uses that would not trigger additional requirements. The "Enhanced" section includes uses that would trigger additional requirements, per section D5 of this PUD. All other development standards apply for all type of development within the PUD."
- l. Page 9, Development Standards: Add a new development standard for "maximum density" before "maximum building heights", to say "Maximum density: 200 dwelling units", and re-letter accordingly.
- m. Page 9, Development Standards, Floor Area Ratio, Enhanced FAR: Replace 0.85 with 0.65.
- n. Page 10, Development Standards, Bicycle Parking, 2: Delete the provision for single-family residential uses and re-number accordingly.
- o. Page 17, Design Guidelines, Enhanced Design Guidelines: Replace "Enhanced" with "Elevated" in the title and add a paragraph before the first paragraph that states "these design guidelines shall apply to all development within the PUD."

- p. Page 17, Design Guidelines, Enhanced Design Guidelines, 1st paragraph: Add "and (R\*)" at the end of the paragraph, before the colon.
  - q. Page 18, Design Guidelines, Enhanced Design Guidelines, Grading/Drainage, 2.3: Replace "should" with "shall".
  - r. Page 18, Design Guidelines, Enhanced Design Guidelines, Landscape Architecture, Plant Materials, 3.1.1: Replace "should" with "shall" in the beginning and end of the sentence.
  - s. Page 20, Design Guidelines, Enhanced Design Guidelines, Parking/Circulation, Parking Structure Design, 6.2.7: Delete this design guideline.
  - t. Page 22, Design Guidelines, Enhanced Design Guidelines, Building Design/Construction, Architecture, 3.1: Replace "compliment" with "complement".
  - u. Page 22, Design Guidelines, Enhanced Design Guidelines, Building Design/Construction, Architecture, 3.2: Replace "complimentary" with "complementary".
  - v. Page 17 – 24, Design Guidelines, Enhanced Design Guidelines: Replace (R) with (R\*) for design guidelines a.2.3, a.3.1.5, a.3.1.9, a.3.1.11, a.3.4.1, a.3.4.2, a.4.1, a.6.1.9, a.6.2.3, a.6.2.4, a.6.2.10, a.6.3.2, a.7.1, a.7.2, a.8.5 through a.8.8, b.1.2 through b.5.5, and b.6.2 through b.7.5.
  - w. Page 24 – 25, Design Guidelines, Additional Design Guidelines: Replace (R) with (R\*) for design guidelines 1, 2, 4, 5, and 7 through 11.
  - x. Page 27, Sustainability: Include the Green Stormwater Infrastructure and Waste Stations provisions in the "Additional Design Guidelines" section.
2. A 10-foot-wide shared-use path easement (SUPE) shall be dedicated along the east property line, adjacent to 64th Street, and a minimum 10-foot-wide shared-use path (SUP) shall be constructed within the easement in accordance with the MAG supplemental detail and as approved by the Planning and Development Department. The SUP may be provided in lieu of the required detached sidewalk within the right-of-way if the landscape strip is provided per Section D1.1.2 of the PUD Development Narrative.

3. A 10-foot-wide multi-use trail easement (MUTE) shall be dedicated adjacent to the western edge of the PUD area, and a minimum 10-foot-wide multi-use trail (MUT) shall be constructed within the easement to connect south to Reach 11 trails in accordance with the MAG supplemental detail and as approved or modified by the Planning and Development Department.
4. Master plans, per the requirements of the Planned Community District (PCD), Section 636 of the Phoenix Zoning Ordinance, shall be submitted, and shall be updated with each phase of development, as approved by the Street Transportation Department and the Planning and Development Department. The initial master plans submitted by the master developer shall include the following:
  - a. Complete build-out of detached sidewalks, landscape within landscape strips, buffered bike lanes, and shared-use paths along 56th Street, Mayo Boulevard and 64th Street per the Street Standards section of the PUD Narrative, to be included on the Master Open Space, Pedestrian, Bicycle and Trails Plan and the Master Landscape Plan.
  - b. Complete build-out of bicycle repair stations per the Bicycle Infrastructure section of the PUD Narrative, to be included on the Master Open Space, Pedestrian, Bicycle and Trails Plan.
  - c. A Pedestrian and Bicycle Circulation Plan to include internal pedestrian and bicycle circulation on site that enhances pedestrian and bicyclist convenience, safety, and comfort.
5. This parcel is in a Special Flood Hazard Area (SFHA) called Zone AO, on Panel 1315 L of the Flood Insurance Rate Maps (FIRM) dated January 4, 2021. The following requirements shall apply, as approved by the Planning and Development Department:
  - a. The Architect/Engineer is required to show the floodplain boundary limits on the Grading and Drainage Plan and ensure that impacts to the proposed facilities have been considered, following the National Flood Insurance Program (NFIP) Regulations (44 CFR Paragraph 60.3). This includes, but not limited to provisions in the latest versions of the Floodplain Ordinance of the Phoenix City Code.
  - b. A copy of the Grading and Drainage Plan shall be submitted to the Floodplain Management section of the Street Transportation Department for review and approval of Floodplain requirements.

- c. The developer shall provide an Elevation Certificate (FEMA Form 086-0-33) based on construction plans to Floodplain Management for approval prior to issuance of Grading and Drainage permits.
  - d. The developer shall provide an Elevation Certificate (FEMA Form 086-0-33) based on buildings under construction and a minimum 95% compaction test results for the building pads to Floodplain Management for approval prior to issuance of building permits.
  - e. The developer shall provide Elevation Certificate (FEMA Form 086-0-33) based on finished construction to Floodplain Management for approval prior to issuance of a Certificate of Occupancy.
6. The developer shall submit Master Street Plans associated with the Traffic Impact Analysis, as approved by the Street Transportation Department.
  7. The developer shall be responsible for design, redesign, and construction of all warranted and affected traffic signals as identified by the approved Street Transportation Department Traffic Impact Study and Master Street Plans by the Street Transportation Department.
  8. Roadway improvements, as stipulated, shall be installed in accordance with the approved Master Street Plan and Traffic Impact Study approved phasing plan.
  9. Any proposed access to public right-of-way shall conform to the City-approved Street Transportation Planning and Design Guidelines for location and spacing, as approved or modified by the Street Transportation Department.
  10. The developer shall construct all necessary roadway infrastructure improvements as required by the Arizona Department of Transportation (ADOT) within ADOT jurisdiction, as approved or modified by ADOT.
  11. The developer shall be required to perfect existing right-of-way easements controlled by the property as fee title, as approved or modified by the Street Transportation Department and the Planning and Development Department.
  12. The subject site shall conform to the Arizona State Land Department (ASLD) land sale, Application No. 53-122049, stipulations or subsequent development agreements, as approved by the Street Transportation Department and the Planning and Development Department.

13. The developer shall construct the ultimate 100-year storm event box culvert dry crossing along arterial streets identified for construction by the approved Master Street Plan to their full limits, including the construction of the upstream and downstream maintenance access ramps.
14. The developer shall be responsible for all 404 permitting, environmental and archeological assessments and associated easement dedications to construct and maintain the ultimate box culvert dry crossing along arterial streets identified for construction by the approved Master Street Plan.
15. Right-of-way shall be dedicated for 64th Street from the existing Arizona Department of Transportation (ADOT) traffic interchange north to Deer Valley Road, as approved by the Planning and Development Department. The dedication shall consist of applicable slope and drainage easements from existing interchange tapering to a minimum 140-foot right-of-way to Deer Valley Road, as approved or modified by the Street Transportation Department and the Planning and Development Department.
16. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
17. The property owner shall record documents that disclose the existence and operational characteristics of the Scottsdale Municipal Airport (SDL) to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
18. The developer shall provide a No Hazard Determination for the proposed development that exceeds 70 feet in height from the FAA pursuant to the FAA's Form-7460 obstruction analysis review process, prior to construction permit approval, as per plans approved by the Planning and Development Department.
19. If determined necessary by the Phoenix Archeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.

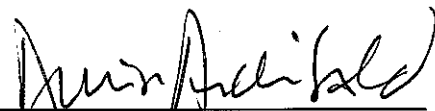
20. If Phase I data testing is required, and if, upon review of the results from Phase I data testing, the City Archeologist, in consultation with a qualified archeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archeological data recovery excavations.
21. In the event archeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archeologist, and allow time for the Archeology Office to properly assess the materials.
22. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

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

PASSED by the Council of the City of Phoenix this 18th day of October, 2023.

  
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MAYOR

ATTEST:

  
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Denise Archibald, City Clerk

10-27-2023





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

By: DBenton

David Benton, Chief Counsel

*P ml*

REVIEWED BY:

JB  
Jeffrey Barton, City Manager

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Exhibits:

A – Legal Description (1 Page)

B – Ordinance Location Map (1 Page)

EXHIBIT A

A PARCEL OF LAND LOCATED NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 4 NORTH, RANGE 4 EAST, OF THE GILA AND SALT RIVER MERIDIAN MARICOPA COUNTY, ARIZONA. A PORTION OF THE LAND DESCRIBED AS LOT 7, STATE PLAT NO.55, PARADISE RIDGE SECOND AMENDED, RECORDED IN BOOK 949, PAGE 50, RECORDS OF MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 33;

THENCE ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 33, SOUTH 00 DEGREES 02 MINUTES 16 SECONDS EAST, A DISTANCE OF 2003.76 FEET TO THE SOUTHEAST CORNER OF LOT 7, BOOK 949, PAGE 50, RECORDS OF MARICOPA COUNTY, ARIZONA:

THENCE LEAVING SAID EAST LINE, AND ALONG THE SOUTH LINE OF SAID LOT 7, THE NEXT 3 COURSES, NORTH 54 DEGREES 15 MINUTES 57 SECONDS WEST, A DISTANCE OF 763.76 FEET;

THENCE NORTH 75 DEGREES 44 MINUTES 37 SECONDS WEST, A DISTANCE OF 1775.42 FEET;

THENCE NORTH 66 DEGREES 29 MINUTES 20 SECONDS WEST, A DISTANCE OF 12.57 FEET TO THE SOUTHWEST CORNER OF SAID LOT 7;

THENCE ALONG THE WEST LINE OF SAID LOT 7, NORTH 06 DEGREES 40 MINUTES 18 MINUTES EAST, A DISTANCE OF 1125.04 FEET TO THE NORTH LINE OF SAID SECTION 33,

THENCE LEAVING SAID WEST LINE, AND ALONG SAID NORTH LINE, SOUTH 89 DEGREES 56 MINUTES 59 SECONDS EAST, A DISTANCE OF 2220.22 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 3,349,195 SQUARE FEET OR 76.887 ACRES, MORE OR LESS.

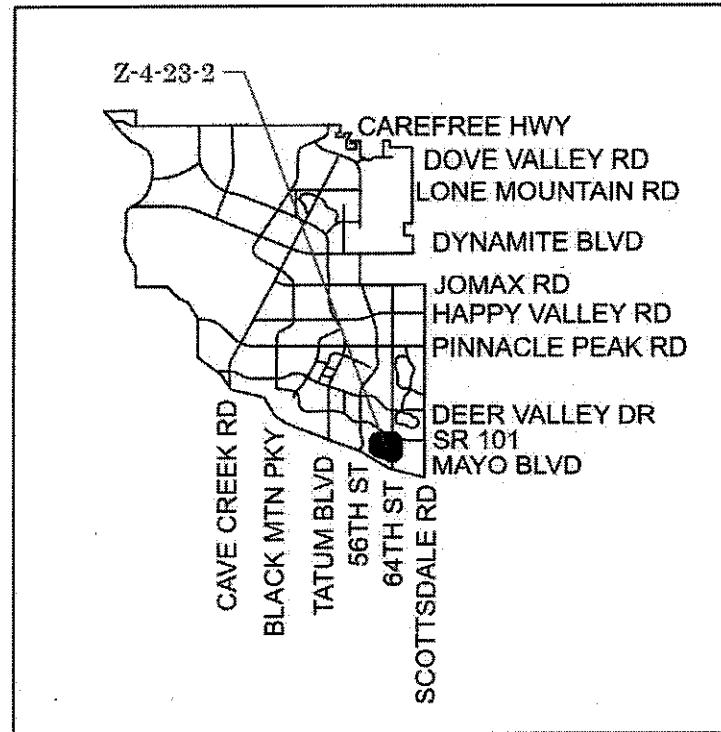
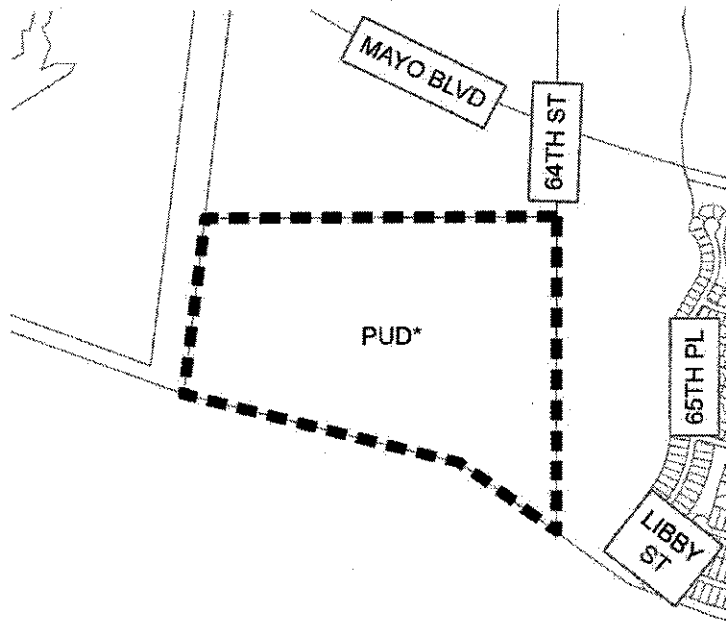
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# ORDINANCE LOCATION MAP

EXHIBIT B

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

Zoning Case Number: Z-4-23-2  
Zoning Overlay: N/A  
Planning Village: Desert View



NOT TO SCALE



Drawn Date: 8/22/2023

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