

## ATTACHMENT A

**THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL,  
ADOPTED ORDINANCE**

### ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-11-18-3) FROM C-1 (NEIGHBORHOOD RETAIL DISTRICT) TO C-2 (INTERMEDIATE COMMERCIAL DISTRICT).

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

SECTION 1. The zoning of a 2.22-acre property located at approximately 228 feet north of the northwest corner of Tatum Boulevard and Shea Boulevard in a portion of Section 19, Township 3 North, Range 4 East, as described more specifically in Exhibit "A", is hereby changed from "C-1" (Neighborhood Retail District) to "C-2" (Intermediate Commercial District).

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

SECTION 3. Due to the site's specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations,

violation of which shall be treated in the same manner as a violation of the City of

Phoenix Zoning Ordinance:

1. Prior to permit issuance of any tenant improvements, the developer shall update the existing landscape areas along the Tatum Boulevard frontage per the C-2 streetscape landscape standards for planting type, size and quantity, unless underground utilities and/or drainage are found to conflict subject to the following requirements, as approved by the Planning and Development Department.
  - a. All required trees in the Tatum Boulevard landscape setback shall be planted adjacent to the sidewalk to provide shade/thermal comfort for pedestrians.
  - b. The sidewalk along Tatum Boulevard shall remain detached and the existing landscaped strip located between the sidewalk and the back of curb shall be planted to provide a minimum of 50% live ground cover.
2. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
3. 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 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 4th day of September, 2019.

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MAYOR

ATTEST:

\_\_\_\_ City Clerk

APPROVED AS TO FORM:

\_\_\_\_ City Attorney

REVIEWED BY:

\_\_\_\_ City Manager

Exhibits:

A – Legal Description (1 Page)

B – Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-11-18-3

THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 3 NORTH, RANGE 4 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE SOUTHEAST CORNER OF SAID SECTION 19, BEING MARKED BY A BRASS CAP IN HAND HOLE, FROM WHICH POINT THE EAST QUARTER CORNER OF SAID SECTION 19, BEING MARKED BY A BRASS CAP IN HAND HOLE, BEARS NORTH 00°00'42" EAST, A DISTANCE OF 2625.57 FEET (BASIS OF BEARINGS);  
THENCE NORTH 00°00'42" EAST, ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 354.08 FEET TO THE EASTERLY PROJECTION OF THE SOUTH LINE OF LOT 1 OF PARADISE VALLEY MARKETPLACE, ACCORDING TO BOOK 571 OF MAPS, PAGE 12, MARICOPA COUNTY RECORDS, SAID POINT BEING THE **POINT OF BEGINNING**;  
THENCE NORTH 89°48'12" WEST, ALONG SAID SOUTH LINE AND EASTERLY PROJECTION THEREOF, A DISTANCE OF 310.61 FEET;  
THENCE NORTH 00°00'42" EAST, PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 311.08 FEET;  
THENCE SOUTH 89°48'12" EAST, PARALLEL WITH THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 310.61 FEET TO THE EAST LINE OF SAID SOUTHEAST QUARTER;  
THENCE SOUTH 00°00'42" WEST, ALONG SAID EAST LINE, A DISTANCE OF 311.08 FEET TO THE **POINT OF BEGINNING**.  
CONTAINING 96,625 SQUARE FEET OR 2.2182 ACRES, MORE OR LESS.

# ORDINANCE LOCATION MAP

EXHIBIT B

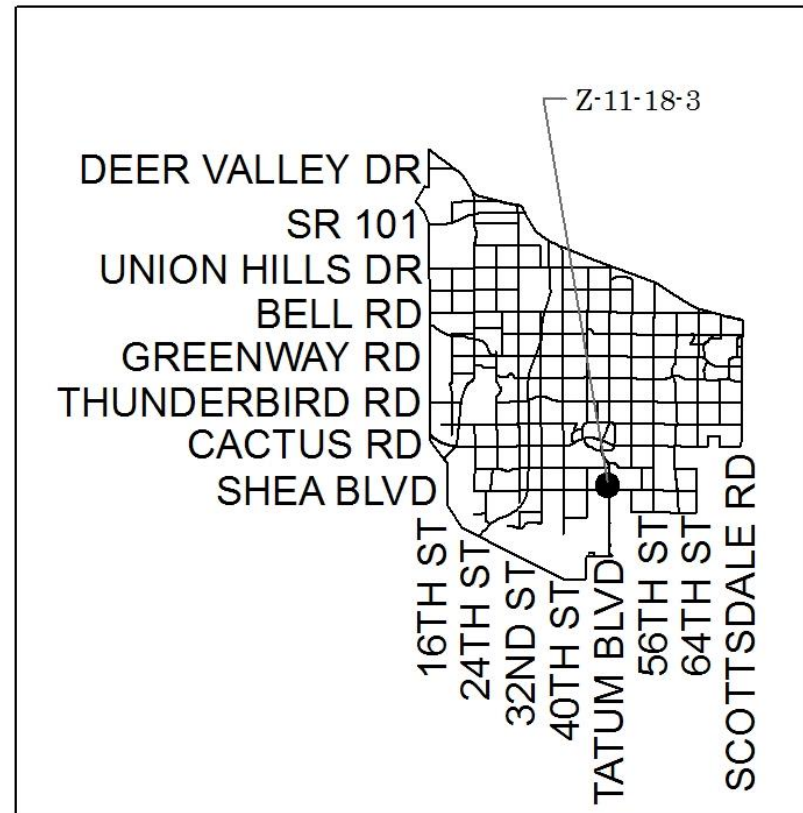
ZONING SUBJECT TO STIPULATIONS: \*

SUBJECT AREA: ■ ■ ■ ■ ■

Zoning Case Number: Z-11-18-3

Zoning Overlay: N/A

Planning Village: Paradise Valley



NOT TO SCALE



Drawn Date: 8/2/2019