

**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 ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-14-24-7) FROM A-1 (LIGHT INDUSTRIAL DISTRICT) AND RE-43 (ONE-FAMILY RESIDENCE) TO A-1 (LIGHT INDUSTRIAL DISTRICT).

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

SECTION 1. The zoning of an 8.48-acre site located approximately 1,400 feet south of the southeast corner of 69th Avenue and Van Buren Street in a portion of Section 12, Township 1 North, Range 1 East, as described more specifically in Exhibit “A,” is hereby changed from 6.12 acres of “A-1” (Light Industrial District) and 2.36 acres of “RE-43” (One-Family Residence) to “A-1” (Light Industrial 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. The development shall be in general conformance with the site plan date stamped March 12, 2024, as modified by the following stipulations, and as approved by the Planning and Development Department.
2. Roll-up garage doors shall be prohibited along the 67th Avenue frontage and the northwest perimeter, adjacent to single-family residential zoning.
3. The maximum building height shall be 46 feet.
4. One outdoor employee resting area of no less than 400 square feet or two 200- square foot areas shall be provided on site. Each required pedestrian area shall include a minimum of two pedestrian seating benches, constructed of quality and durable materials, and shaded to a minimum of 75% using minimum 2-inch caliper, large canopy, drought-tolerant, shade trees, and/or architectural shade, as approved by the Planning and Development Department.
5. Bicycle parking spaces shall be provided per the requirements of Section 1307.H of the Phoenix Zoning Ordinance through inverted U and/or artistic racks located near the office and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
6. A minimum of 10% of the required bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities.
7. Where pedestrian walkways cross a vehicular path, the pathway shall incorporate decorative pavers, stamped or colored concrete, striping or other pavement treatments that visually contrast parking and drive aisle surfaces, as approved by the Planning and Development Department.
8. Only landscape materials listed in the Phoenix Active Management Area Low Water-Use/Drought-Tolerant Plant List shall be utilized internal to the site, as approved or modified by the Planning and Development Department.
9. Landscape areas shall be planted with minimum 2-inch caliper, large canopy, drought-tolerant, shade trees planted 25 feet on center or in equivalent groupings, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

10. A minimum of 25% of uncovered employee and customer surface parking lot areas shall be shaded, as approved by the Planning and Development Department. Shade may be achieved by structures or by minimum 2-inch caliper, drought tolerant, shade trees, or a combination thereof.
11. The development shall conform with the Estrella Village Arterial Street Landscaping Program landscape palette and landscaping standards along arterial streets in the Estrella Village, except as otherwise noted herein, as approved by the Planning and Development Department.
12. Landscaping shall be maintained by permanent and automatic/water efficient WaterSense labeled irrigation controllers (or similar smart controller) to minimize maintenance and irrigation water consumption for all on and offsite landscape irrigation.
13. Pressure regulating sprinkler heads and drip lines shall be utilized in any turf areas to reduce water waste.
14. A minimum of one green infrastructure (GI) techniques for stormwater management shall be implemented per the Greater Phoenix Metro Green Infrastructure and Low-Impact Development Details for Alternative Stormwater Management, as approved or modified by the Planning and Development Department.
15. Any wet-cooling systems shall be designed and installed per the standards in the latest version of the International Green Construction Code (IGCC).
16. A minimum of 5% of the required parking shall be EV Capable.
17. A minimum 55-feet of right-of-way shall be dedicated and constructed, including a raised center median, for the west half of 67th Avenue.
18. Only one full access driveway shall be permitted along 67th Avenue, in compliance with the Street Transportation Department Street Planning and Design Guidelines Manual for access control and spacing.
19. The sidewalk along 67th Avenue shall be a minimum of 6 feet in width and detached with a minimum 10-foot-wide landscape strip located between the sidewalk and back of curb and planted to the following standards, as approved by the Planning and Development Department.
  - a. Minimum 2-inch caliper, drought-tolerant, single trunk, shade trees that provide a minimum of 75 percent shade at maturity.
  - b. Drought-tolerant vegetation to achieve 75 percent live coverage at maturity.

- c. The landscape palette and planting standards, unless otherwise provided herein, shall conform with the Estrella Village Arterial Street Landscaping Program requirements for the village parkway of 67th Avenue.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

- 20. A minimum 5-foot-wide sidewalk shall be constructed on the north side of Farmer Road, adjacent to the development.
- 21. A minimum 5-foot-wide sidewalk shall be constructed on the east side of 69th Avenue, adjacent to the development.
- 22. Existing SRP facilities along 67th Avenue are to be relocated outside of City right-of-way, unless otherwise approved by the Street Transportation Department. Relocations that require additional dedications or land transfer require completion prior to obtaining plat and/or civil plan review approval.
- 23. Replace unused driveways with sidewalk, curb, and gutter. Also, replace any broken or out-of-grade curb, gutter, sidewalk, and curb ramps on all streets and upgrade all off-site improvements to be in compliance with current ADA guidelines.
- 24. All streets within and adjacent to the development shall be constructed 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.
- 25. If determined necessary by the Phoenix Archaeology 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 Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
- 26. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
- 27. 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.
- 28. Prior to final 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 12th day of June, 2024.

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MAYOR

ATTEST:

\_\_\_\_\_  
Denise Archibald, City Clerk

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

By:  
\_\_\_\_\_  
\_\_\_\_\_

REVIEWED BY:

\_\_\_\_\_  
Jeffrey Barton, City Manager

Exhibits:

A – Legal Description (3 Pages)

B – Ordinance Location Map (1 Page)

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EXHIBIT A

LEGAL DESCRIPTION FOR Z-14-24-7

APN: 104-09-026

Section 12, Township 1N, Range 1E, The South 100 feet of Tract 9, WESTERN ACRES, according to Book 29 of Maps, page 23, records of Maricopa County, Arizona.

*Gross Acreage: 0.76*

APN: 104-09-027A

Section 12, Township 1N, Range 1E, Tract 9, WESTERN ACRES, according to Book 29 of Maps, page 23, records of Maricopa County, Arizona; EXCEPT the South 100 feet thereof; and EXCEPT the North 135 feet thereof.

*Gross Acreage: 0.54*

APN: 104-09-028C

Section 12, Township 1N, Range 1E, Tract PARCEL 10, #1: WESTERN ACRES, according to Book 29 of Maps, page 23, records of Maricopa County, Arizona, EXCEPT the North 110 feet.

*Gross Acreage: 1.07*

APN: 104-09-028D

Section 12, Township 1N, Range 1E, North 110 feet, Tract Ten, Western Acres, according to the plat of record in the office of the Maricopa County Recorder in Book 29, page 15, of Maps, Maricopa County, Arizona.

*Gross Acreage: 0.83*

APN: 104-09-029B

Section 12, Township 1N, Range 1E, That portion of Tract 11, WESTERN ACRES, according to Book 29 of Maps, page 23, records of Maricopa County, Arizona, described as follows:

COMMENCING at a point 65 feet North of the Southeast corner of the North 220 feet of said Tract 11;

THENCE Westerly 165 feet along the South line of the North 155 feet to the TRUE POINT OF BEGINNING of the parcel of land herein described;

THENCE continuing Westerly along the South line of the North 155 feet to the point of intersection with the Southwesterly line of said Tract 11;

THENCE Northwesterly and Northerly along the Southwesterly line and the Westerly line of said Tract 11 to the Northwest corner of said Tract 11;

THENCE Easterly along the North line of said Tract 11 to a point which is 165 feet West of the Northeast corner of said Tract 11;

THENCE South 155 feet to the TRUE POINT OF BEGINNING;

TOGETHER WITH that portion of Farmer Road abutting the Southwesterly line of the above-described property as abandoned in Resolution No. 16630 recorded in Document No. 85-332282, records of Maricopa County, Arizona.

*Gross Acreage: 1.67*

APN: 104-09-029C

Section 12, Township 1N, Range 1E, That portion of Tract 11, of WESTERN ACRES, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 29 of Maps, Page 23, described as follows:

BEGINNING at Northeast corner of said Tract 11;

Thence South, a distance of 90.00 feet along the East line of said Tract 11;

Thence West, a distance of 165.00 feet;

Thence North, a distance of 90.00 feet;

Thence East, a distance of 165.00 feet to the Northeast corner of said Tract 11 and the TRUE POINT OF BEGINNING;

EXCEPT the East 8.00 feet thereof as conveyed to the City of Phoenix by deed recorded in Document No. 91-0261549, of Official Records.

*Gross Acreage: 0.32*

APN: 104-09-030A

Section 12, Township 1N, Range 1E, That part of the North 220 feet of Tract 11 of WESTERN ACRES, according to the plat thereof record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 29 of Maps, Page 23, thereof, described as follows:

COMMENCING at a point 65 feet North of the South-East corner of the North 220 feet of said Tract 11 in WESTERN ACRES;

Thence North 65 feet;

Thence West 165 feet;

Thence South 65 feet;

Thence East 165 feet to the point of beginning;

EXCEPT the East 8 feet thereof as conveyed to the City of Phoenix in warranty deed recorded in recording No. 91-398642.

*Gross Acreage: 0.24*



APN: 104-09-034

Section 12, Township 1N, Range 1E, The South half of Tract 12, WESTERN ACRES, according to Book 29 of Maps, page 23, records of Maricopa County, Arizona.

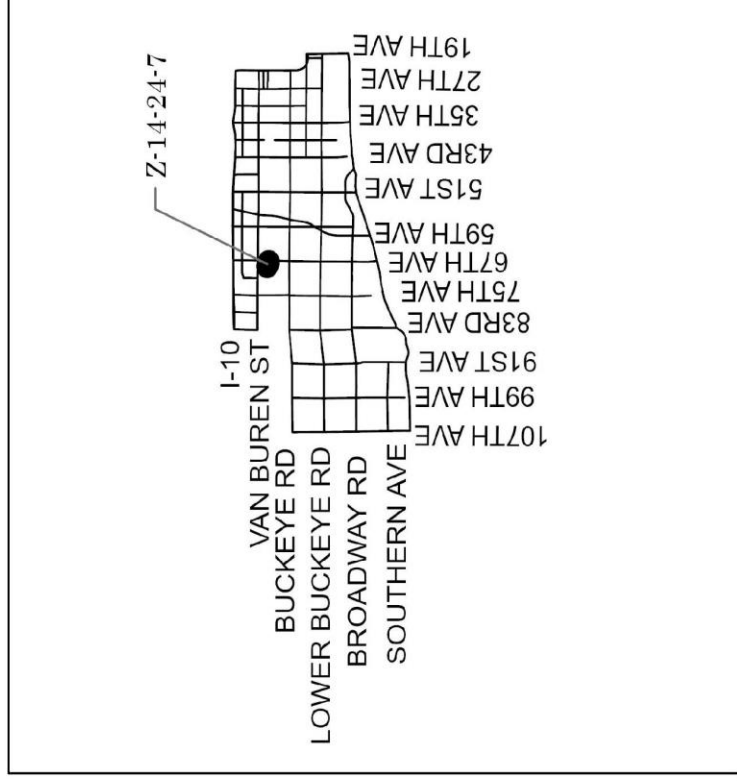
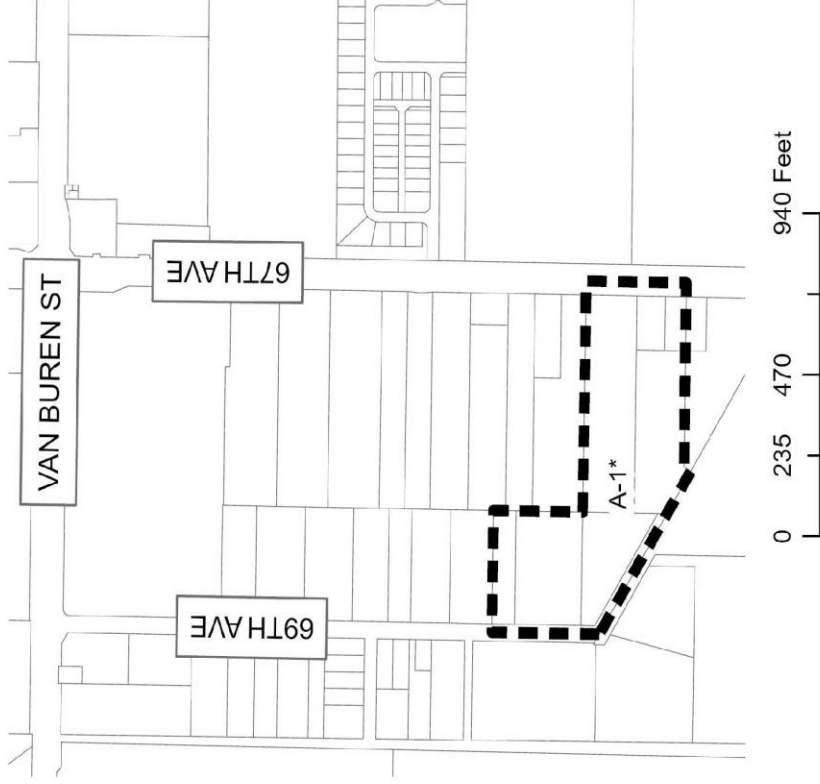
*Gross Acreage: 2.36*

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# ORDINANCE LOCATION MAP

EXHIBIT B

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



NOT TO SCALE



Drawn Date: 5/8/2024