

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 STIPULATIONS APPLICABLE TO
REZONING APPLICATION Z-28-16-2 PREVIOUSLY APPROVED BY
ORDINANCE G-6221.

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

SECTION 1. The zoning stipulations applicable located approximately 580
feet east of the northeast corner of Cave Creek Road and Union Hills Drive in a portion of
Section 26, Township 4 North, Range 3 East, as described more specifically in
Attachment "A", are hereby modified to read as set forth below.

STIPULATIONS:

1. The development shall have a maximum height of 15 feet within 75 feet of the north property line abutting Cave Creek Road; and maximum height of 25 feet between 76 feet and 312 feet of the north property line abutting Cave Creek Road, as approved by the Planning and Development Department.
2. The landscape setbacks shall be in specific conformance to the site plan date stamped May 13, 2016 FOR THE NORTHWEST PORTION AND JULY 14, 2017 FOR THE EASTERN PORTION, as approved by the Planning and Development Department.
3. The developer shall provide minimum 2-inch caliper trees placed 20-feet on center, or in equivalent groupings, along Union Hills Drive and Cave Creek Road, as approved by the Planning and Development Department.
4. The site shall develop with a ~~design/color~~ and landscaping similar and consistent between all buildings on the property, as approved by the Planning and Development Department.

5. The developer shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence, and operational characteristics of Phoenix Deer Valley Airport (DVT) 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 viewed and approved by the City Attorney.
6. The hours of operation for the self-storage facility shall be limited to 8am to 9pm, daily.

SECTION 2. Due to the site's specific physical conditions and the use district granted pursuant to Ordinance G-6221, this portion of the rezoning is now subject to the stipulations approved pursuant to Ordinance G-6221 and as modified in Section 1 of this Ordinance. Any violation of the stipulation is a violation of the City of Phoenix Zoning Ordinance. Building permits shall not be issued for the subject site until all the stipulations have been met.

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 30th day of August, 2017.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

____ City Attorney

REVIEWED BY:

____ City Manager

Attachments:

A - Legal Description (1 Page)

B - Ordinance Location Map (1 Page)

DRAFT

ATTACHMENT A

LEGAL DESCRIPTION FOR PHO-1-17--Z-28-16-2

LEGAL DESCRIPTION

BEING ALL OF PARCEL 4 AND A PORTION OF PARCELS 2,3 AND 5 AS DESCRIBED IN THE SPECIAL WARRANTY DEED RECORDED IN DOCUMENT NUMBER 2001-0256126, MARICOPA COUNTY RECORDS, LYING WITHIN THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 4 NORTH, RANGE 3 EAST GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 26, FROM WHICH THE SOUTH QUARTER CORNER OF SAID SECTION BEARS NORTH 89 DEGREES 54 MINUTES 00 SECONDS EAST A DISTANCE OF 2638.32 FEET;

THENCE NORTH 89 DEGREES 54 MINUTES 00 SECONDS EAST, ALONG THE SOUTH LINE OF SAID SECTION, A DISTANCE OF 582.94 FEET TO THE POINT OF BEGINNING;

THENCE DEPARTING SAID SOUTH LINE, NORTH 00 DEGREES, 00 MINUTES 03 SECONDS WEST, A DISTANCE OF 55.00 FEET TO THE SOUTHEAST CORNER OF THAT PARCEL DESCRIBED IN DOCUMENT NUMBER 2009-0720915, MARICOPA COUNTY RECORDS;

THENCE CONTINUING NORTH 00 DEGREES 00 MINUTES 03 SECONDS WEST, ALONG THE EAST LINE OF SAID PARCEL, A DISTANCE OF 259.76 FEET TO THE NORTH LINE OF SAID PARCEL;

THENCE SOUTH 89 DEGREES 59 MINUTES 57 SECONDS WEST, ALONG SAID NORTH LINE, A DISTANCE OF 275.33 FEET;

THENCE DEPARTING SAID NORTH LINE, NORTH 00 DEGREES 06 MINUTES 09 SECONDS WEST, A DISTANCE OF 1.35 FEET, TO THE BEGINNING OF A 30.00 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY;

THENCE NORTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 90 DEGREES 00 MINUTES 16 SECONDS, AN ARC DISTANCE OF 47.13 FEET;

THENCE SOUTH 89 DEGREES 53 MINUTES 35 SECONDS WEST, A DISTANCE OF 277.43 FEET, TO THE WEST LINE OF SAID SOUTHWEST QUARTER;

THENCE NORTH 00 DEGREES 01 MINUTES 08 SECONDS EAST, ALONG SAID WEST LINE, A DISTANCE OF 93.89 FEET; THENCE DEPARTING SAID WEST LINE, NORTH 89 DEGREES 54 MINUTES 19 SECONDS EAST, A DISTANCE OF 55.00 FEET;

THENCE NORTH 00 DEGREES 01 MINUTES 08 SECONDS EAST, A DISTANCE OF 220.01 FEET TO THE SOUTH LINE OF THE FINAL PLAT OF DAVE BROWN CAVE CREEK & SIESTA, RECORDED IN BOOK 507 OF MAPS, PAGE 3, MARICOPA COUNTY RECORDS;

THENCE ALONG SAID SOUTH LINE, NORTH 89 DEGREES 54 MINUTES 26 SECONDS EAST, A DISTANCE OF 439.82 FEET TO THE WEST LINE OF SIESTA MOBILE ESTATES UNIT TWO, RECORDED IN BOOK 145 OF MAPS, PAGE 9, MARICOPA COUNTY RECORDS;

THENCE ALONG THE WEST LINE OF SAID SIESTA MOBILE ESTATES UNIT TWO THE FOLLOWING 3 COURSES:

THENCE SOUTH 00 DEGREES 02 MINUTES 37 SECONDS WEST, A DISTANCE OF 304.03 FEET;

THENCE NORTH 89 DEGREES 54 MINUTES 01 SECONDS EAST, A DISTANCE OF 335.69 FEET;

THENCE SOUTH 00 DEGREES 00 MINUTES 46 SECONDS EAST, A DISTANCE OF 356.56 FEET TO THE SOUTH LINE OF SAID SECTION;

THENCE DEPARTING SAID WEST LINE, SOUTH 89 DEGREES 54 MINUTES 00 SECONDS WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 247.63 FEET TO THE POINT OF BEGINNING.

ORDINANCE LOCATION MAP

ATTACHMENT B

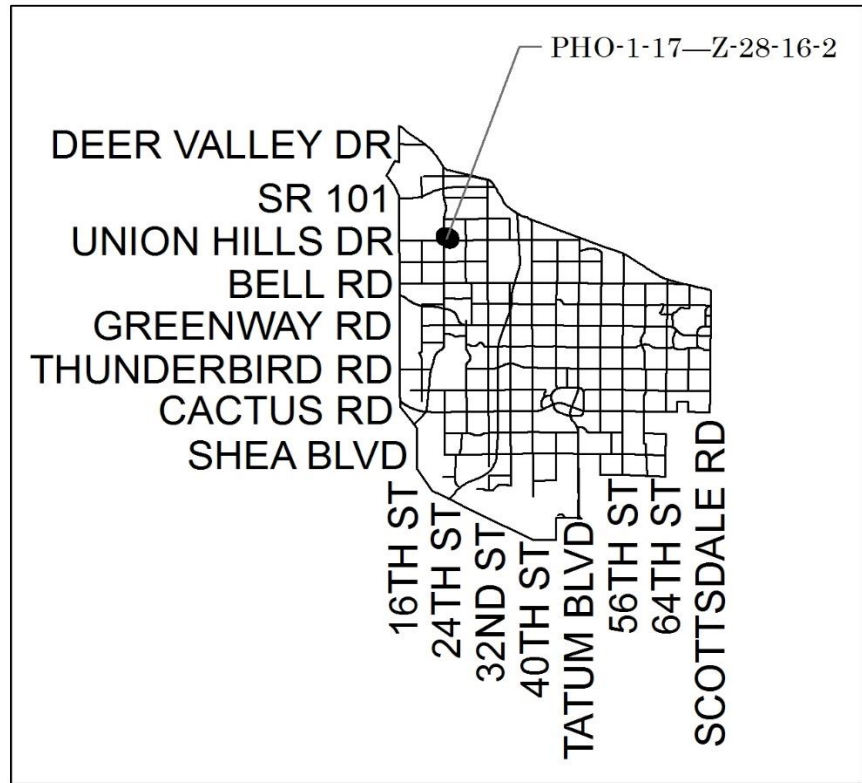
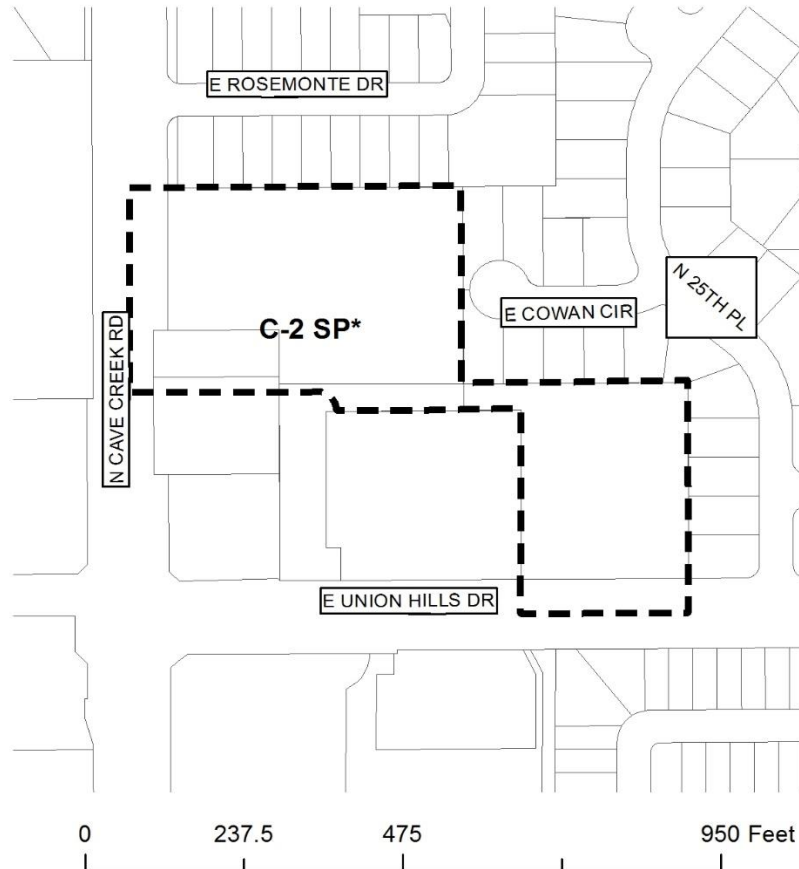
ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: ■ ■ ■ ■ ■

Zoning Case Number: PHO-1-17—Z-28-16-2

Zoning Overlay: N/A

Planning Village: Paradise Valley



NOT TO SCALE



Drawn Date: 7/31/2017