

## 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-55-18-2) FROM CP/BP DVAO (COMMERCE PARK DISTRICT/ BUSINESS PARK OPTION, DEER VALLEY AIRPORT OVERLAY DISTRICT) TO CP/GCP DVAO (COMMERCE PARK DISTRICT /GENERAL COMMERCE PARK OPTION, DEER VALLEY AIRPORT OVERLAY DISTRICT).

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

SECTION 1. The zoning of an approximately 0.71 acre property located approximately 60 feet east of the southeast corner of 22nd Street and Quail Avenue in a portion of Section 22, Township 4 North, Range 3 East, as described more specifically in Exhibit "A", is hereby changed from "CP/BP DVAO" (Commerce Park District /Business Park Option, Deer Valley Airport Overlay District), to "CP/GCP DVAO" (Commerce Park District /General Commerce Park Option, Deer Valley Airport Overlay 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. Trees located within the required landscape setback shall be a minimum of two inches in caliper.
2. All elevations of the building shall contain architectural embellishments and detailing such as textural changes, offsets, recesses and variation in window size and location, as approved by the Planning and development Department.
3. A minimum of two inverted-U bicycle racks (4 spaces) for guests or employees shall be provided on site, located near building entries, and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
4. The developer shall provide a 5-foot wide sidewalk along Quail Avenue, as approved by the Planning and Development Department.
5. 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.
6. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Deer Valley Airport (DVL) 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.
7. 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 Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
8. 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 9th day of January, 2019.

\_\_\_\_\_  
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)

EXHIBIT A

LEGAL DESCRIPTION FOR Z-55-18-2

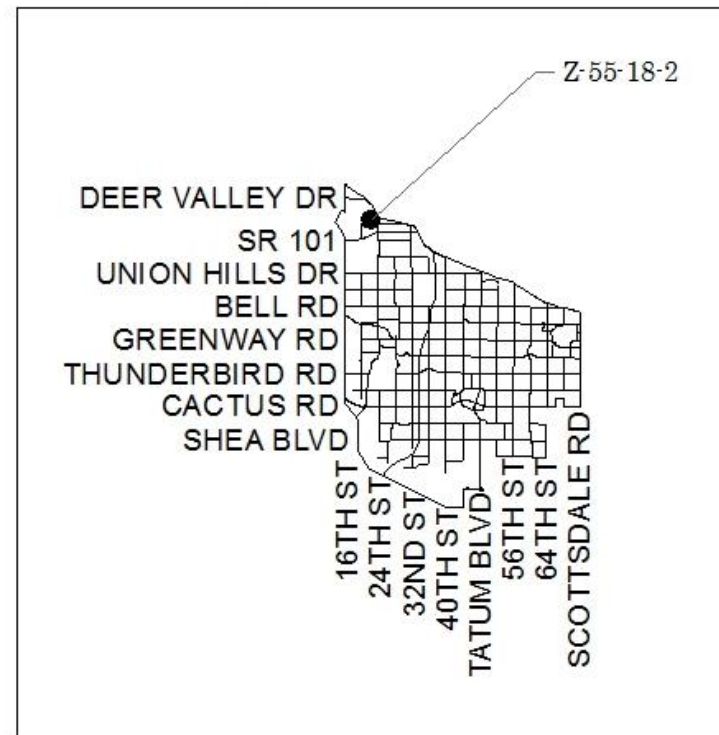
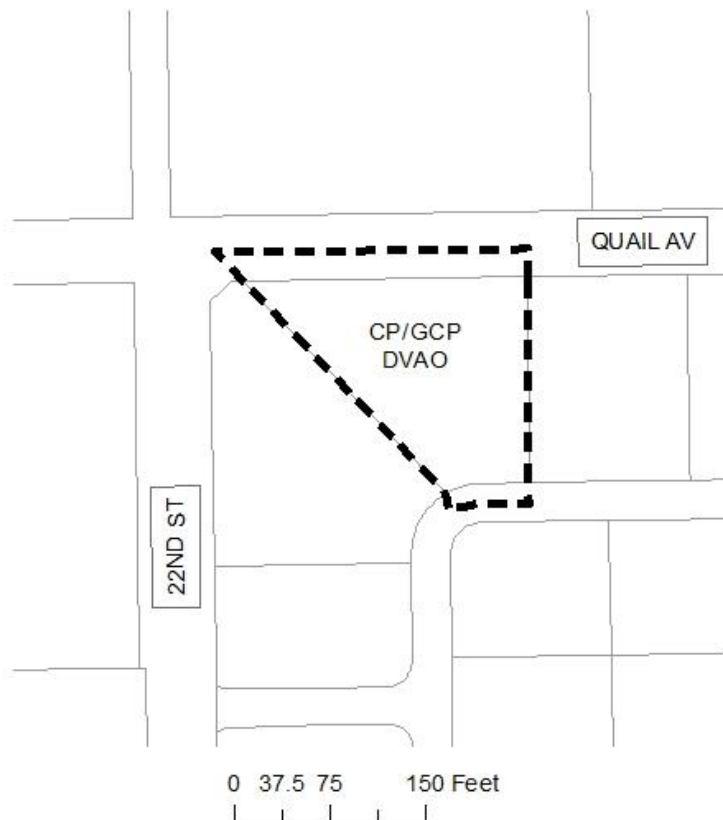
Section 22, Township 4 North, Range 3 East, Lot 7, of MOUNTAIN SHADOW INDUSTRIAL PARK, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 312 of maps, page 42 and affidavit recorded in Document No. 1988-0183419 and Affidavit recorded in Document No. 1992-0216824 and re-recorded in Document No. 1992-0448841.

# ORDINANCE LOCATION MAP

EXHIBIT B

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

Zoning Case Number: Z-55-18-2  
Zoning Overlay: Deer Valley Airport Overlay District  
Planning Village: Paradise Valley



NOT TO SCALE



Drawn Date: 12/14/2018