

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-22-22-8) FROM C-1 (NEIGHBORHOOD RETAIL) TO C-2 (INTERMEDIATE COMMERCIAL).

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

SECTION 1. The zoning of a 4.90-acre site located approximately 220 feet north of the northeast corner of 59th Avenue and Elliot Road in a portion of Section 8, Township 1 South, Range 2 East, as described more specifically in Exhibit "A," is hereby changed from "C-1" (Neighborhood Retail) to "C-2" (Intermediate Commercial).

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 June 30, 2022, as modified by the following stipulations and approved by the Planning and Development Department.
2. All elevations of the buildings shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, variation in window size and location, and/or overhang canopies, as approved by the Planning and Development Department.
3. Building elevations shall be developed with a common architectural theme.
4. The conceptual site plan, elevations, and landscape plan for future development of the commercial pad shall be reviewed and approved by the Planning Hearing Officer through the public hearing process, including review by the Laveen Village Planning Committee, for stipulation modification prior to preliminary site plan approval with specific regard to the inclusion of the below elements. This is a legislative review for conceptual purposes only. Specific development standards and requirements will be determined by the Planning Hearing Officer and the Planning and Development Department.
 - a. Pedestrian connections, shade, and architectural style shall be consistent with the Laveen Southwest Growth Study.
5. A 25-foot minimum landscape setback shall be provided along 59th Avenue, as approved by the Planning and Development Department.
6. A minimum 10-foot landscape setback shall be provided along the north and east sides of the site and shall be planted with minimum 3-inch caliper trees placed 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.
7. All uncovered surface parking lot areas for employees and customers shall be landscaped with minimum 2-inch caliper size large canopy drought tolerant shade trees. Landscaping shall be dispersed throughout the parking area and achieve minimum 25% shade at maturity, as approved by the Planning and Development Department.
8. A minimum of 10 bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near building entrances and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
9. A pedestrian connection shall be provided between the site and the adjacent multifamily development to the east, as approved by the Planning and Development Department.

10. A shared-use path shall be provided along the east side of 59th Avenue in accordance with the city of Phoenix standard trail detail, as approved by the Parks and Recreation and Planning and Development Departments.
11. The developer shall construct a minimum 5-foot-wide detached sidewalk along 59th Avenue with a minimum 8-foot-wide landscaped 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 3-inch caliper shade trees placed a minimum of 20 feet on center or in equivalent groupings, to provide a minimum of 50% shade at maturity.
 - b. Drought tolerant shrubs and vegetative groundcovers with a maximum mature height of 24 inches to provide a minimum of 75% live coverage at maturity.
 - c. Where utility conflicts arise, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.
12. The developer shall dedicate a minimum of 55-feet for the east half of 59th Avenue, as approved by the Planning and Development Department.
13. 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.
14. 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.
15. 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 7th day of September, 2022.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Cris Meyer, City Attorney

By:

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:
A – Legal Description (1 Page)
B – Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR Z-22-22-8

THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 8,
TOWNSHIP 1 SOUTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND
MERIDIAN, MARICIPA COUNTY, ARIZONA

EXCEPT THE SOUTH 253 FEET AND THE WEST 33 FEET THEREOF.

ORDINANCE LOCATION MAP

EXHIBIT B

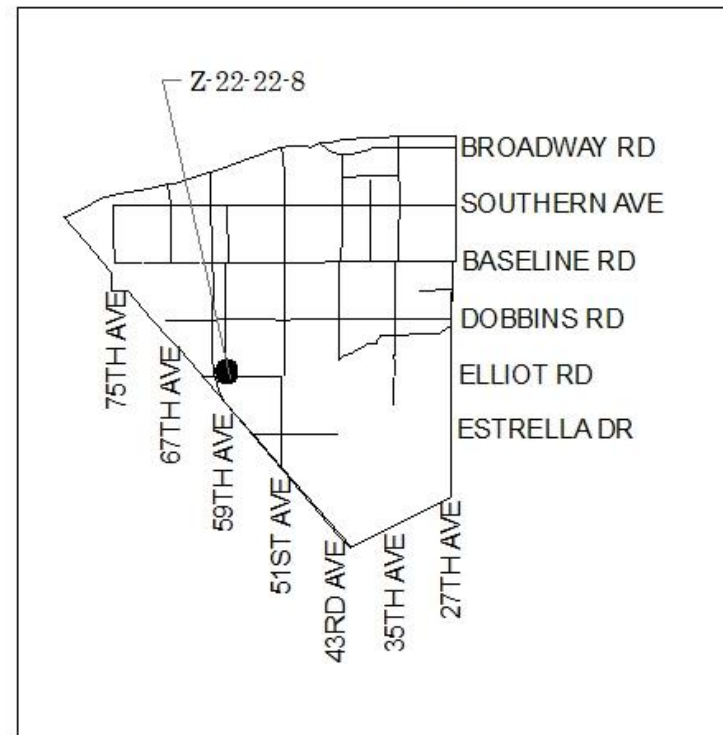
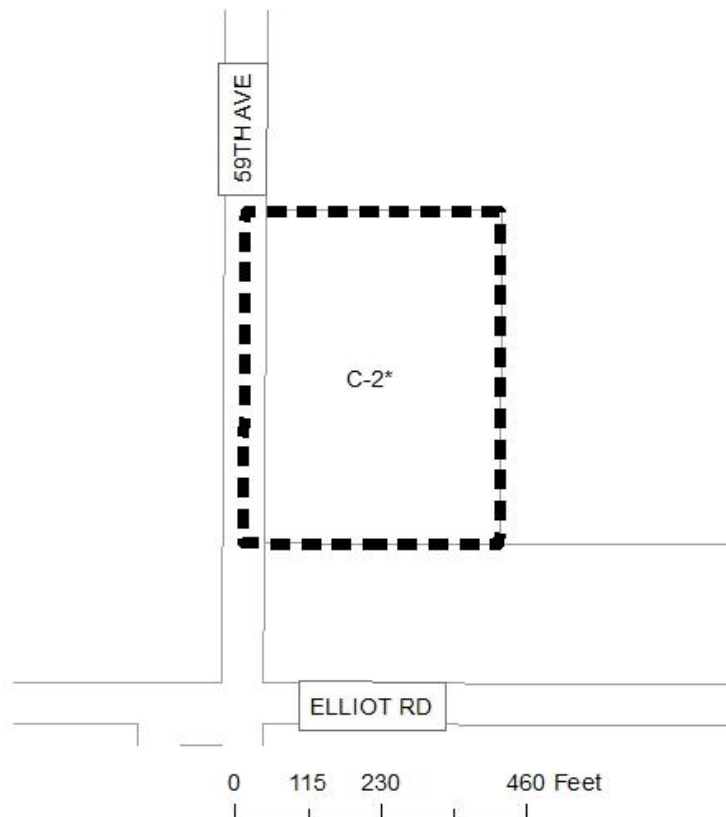
ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: ■ ■ ■ ■ ■

Zoning Case Number: Z-22-22-8

Zoning Overlay: N/A

Planning Village: Laveen



NOT TO SCALE



Drawn Date: 8/16/2022