

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-32-22-7) FROM C-2 (INTERMEDIATE COMMERCIAL) TO C-2 HGT/WVR (INTERMEDIATE COMMERCIAL, HEIGHT WAIVER).

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

SECTION 1. The zoning of a 2.55-acre site located approximately 460 feet south of the southwest corner of 83rd Avenue and Buckeye Road in a portion of Section 15, Township 1 North, Range 1 East, as described more specifically in Exhibit "A," is hereby changed from "C-2" (Intermediate Commercial), to "C-2 HGT/WVR" (Intermediate Commercial, Height Waiver).

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 elevations date stamped April 18, 2022, as modified by the following stipulations and approved by the Planning and Development Department.
2. A minimum building setback of 100 feet shall be required along the south property line.
3. The maximum building height shall be 36 feet for a self-service storage warehouse facility. All other uses shall be limited to a maximum building height of 2 stories not to exceed 30 feet.
4. The development shall conform with the Estrella Village Arterial Street Landscaping Program landscape pallet and landscaping standards along arterial streets in the Estrella Village, except as otherwise noted herein, as approved by the Planning and Development Department.
5. The south landscape setback shall be planted with minimum 50% 2-inch caliper and minimum 50% 3-inch caliper large canopy, drought tolerant trees, planted 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.
6. Evergreen trees shall be planted within the landscape setback along the south perimeter of the site, as approved by the Planning and Development Department.
7. Where pedestrian pathways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrasts with parking and drive aisle surfaces, as approved by the Planning and Development Department.
8. All uncovered surface parking lot area 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 25% shade at maturity, as approved by Planning and Development Department.
9. A minimum of 4 bicycle parking spaces shall be provided through Inverted U and/or artistic racks dispersed throughout the site installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, or in a secure room, as approved by the Planning and Development Department.
10. All sidewalks along 83rd Avenue shall be detached with a landscape strip located between the sidewalk and back of curb following the most recent Cross Section of the Street Classification Map and planted to the following standards, as approved and/or modified by the Planning and Development department.

- a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees to provide a minimum 75% shade.
- b. Drought tolerant vegetation maintained no higher than 24 inches to provide a minimum of 75% live coverage at maturity.

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

- 11. The developer shall reserve four storage units (minimum size 10 feet by 10 feet) for use by community organizations and/or persons in need free of charge. Of these storage units, one storage unit may be reserved for a community organization for use as a meeting room; and three storage units (or four if the other unit is not being used as a meeting space) shall be reserved for storage purposes for persons in need as individuals by the community organization or developer (such as victims of domestic violence or persons evicted from their home).
- 12. Any future planning hearing officer action to modify these stipulations shall require the following:
 - a. Enhanced public notification to include notice of the application to all property owners within 1,000 feet of the subject site and city registered neighborhood organizations within one mile of the subject site.
 - b. Recommendation from the Estrella Village Planning Committee.
- 13. The developer shall construct a restricted right-in/right-out driveway along 83rd Avenue, as approved by the Planning and Development Department. The developer shall complete the application and dedicate and construct all necessary improvements within the Salt River Project Agricultural Improvements and Power District designated lands or as modified by the Street Transportation Department.
- 14. 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.
- 15. 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.
- 16. 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 2nd day of November, 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

LOT 4 AND A PORTION OF LOT 3, BUCKEYE FULFILLMENT CENTER, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 1199 OF MAPS, PAGE 39, LOCATED IN THE NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 1 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 4;
THENCE SOUTH 83 DEGREES 12 MINUTES 17 SECONDS WEST, ALONG THE SOUTH LINE OF SAID LOT 4, A DISTANCE OF 292.15 FEET TO THE SOUTHWEST CORNER OF SAID LOT 4;
THENCE NORTH 05 DEGREES 18 MINUTES 02 SECONDS WEST, ALONG THE WEST LINE OF SAID LOT 4, A DISTANCE OF 254.16 FEET TO THE NORTHWEST CORNER OF SAID LOT 4;
THENCE CONTINUING ALONG SAID LINE, NORTH 05 DEGREES 18 MINUTES 02 SECONDS WEST, A DISTANCE OF 57.13 FEET;
THENCE SOUTH 89 DEGREES 03 MINUTES 20 SECONDS EAST, A DISTANCE OF 323.77 FEET;
THENCE SOUTH 01 DEGREE 05 MINUTES 37 SECONDS WEST, A DISTANCE OF 13.63 FEET TO THE NORTHEAST CORNER OF SAID LOT 4;
THENCE CONTINUING ALONG SAID LINE, SOUTH 01 DEGREE 05 MINUTES 37 SECONDS WEST, A DISTANCE OF 240.17 FEET;
THENCE SOUTH 00 DEGREES 05 MINUTES 51 SECONDS WEST, A DISTANCE OF 16.30 FEET TO THE **POINT OF BEGINNING**.
SAID PARCEL CONTAINS 89,145 SQUARE FEET OR 2.046 ACRES, MORE OR LESS.

ORDINANCE LOCATION MAP

EXHIBIT B

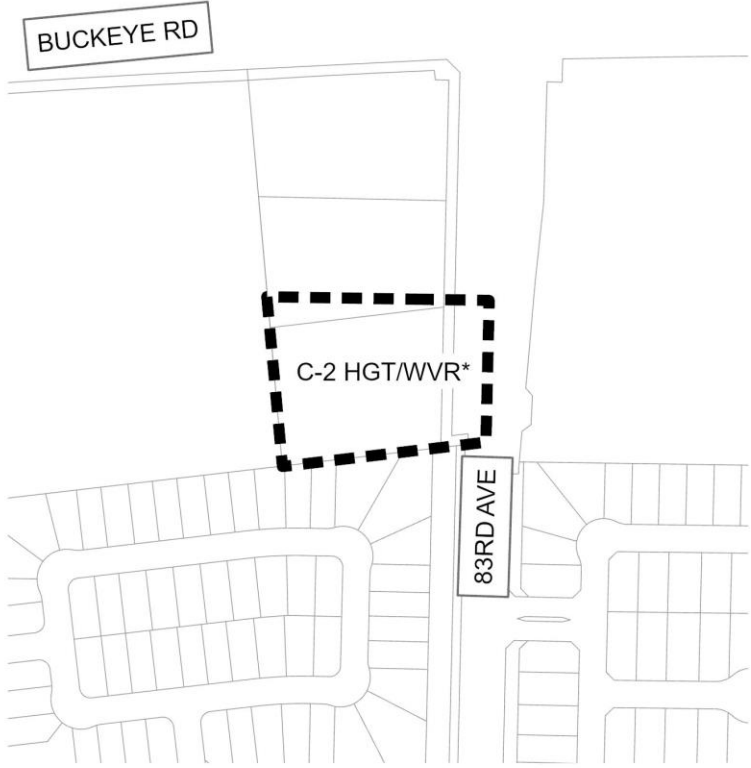
ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: ■ ■ ■ ■ ■

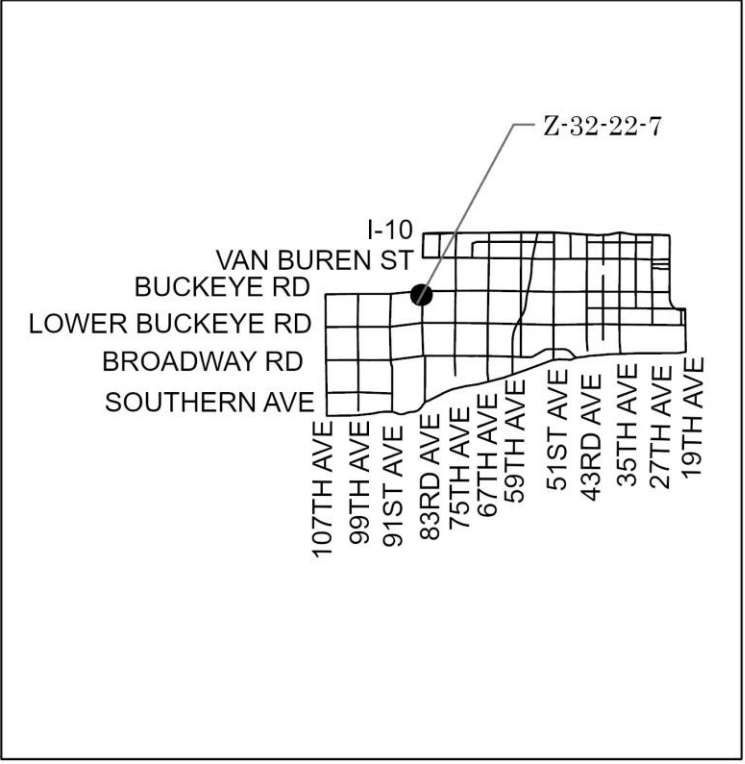
Zoning Case Number: Z-32-22-7

Zoning Overlay: N/A

Planning Village: Estrella



0 140 280 560 Feet



NOT TO SCALE



Drawn Date: 10/4/2022