

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-91-23-2) FROM S-1 DVAO (RANCH OR FARM RESIDENCE, 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 a 2.55-acre property located approximately 250 feet west of the southwest corner of Cave Creek Road 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 "S-1 DVAO" (Ranch or Farm Residence, 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. The development shall be in general conformance with the site plan date stamped April 18, 2024, with specific regard to the landscape areas provided, as modified by the following stipulations, as approved by the Planning and Development Department.
2. The development shall be in general conformance with the elevations date stamped April 18, 2024, as modified by the following stipulations, as approved by the Planning and Development Department.
3. Perimeter landscape areas, as depicted on the site plan date stamped April 18, 2024, shall be planted with minimum 2-inch caliper, large canopy, drought-tolerant, shade trees, planted 20 feet on center, or in equivalent groupings, and drought-tolerant shrubs, accents and vegetative groundcovers to achieve a minimum of 50% live coverage, as approved by the Planning and Development Department.
4. A minimum 5-foot-wide landscape strip shall be provided along the north, west, and south sides of the building, except the loading dock, and shall be planted with minimum 2-inch caliper, large canopy, drought-tolerant, shade trees, planted 20 feet on center, or in equivalent groupings, and drought-tolerant shrubs, accents, and vegetative groundcovers to achieve a minimum of 50% live coverage, as approved by the Planning and Development Department.
5. All uncovered surface parking lot areas shall be landscaped with minimum 2-inch caliper, large canopy, drought-tolerant, shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25% shade, as approved by Planning and Development Department.
6. All bicycle parking spaces and pedestrian pathways, including sidewalks, shall be shaded by a structure, landscaping, or a combination of the two to provide a minimum of 75% shade, as approved by the Planning and Development Department.
7. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrasts parking and drive aisle surfaces, as approved by the Planning and Development Department.
8. One outdoor employee resting area of no less than 200 square feet 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.

9. 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.
10. A minimum of 10% of the required bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities, as approved by the Planning and Development Department.
11. A minimum of 5% of the required parking spaces shall include Electric Vehicle (EV) Installed Infrastructure, as approved by the Planning and Development Department.
12. A minimum of two 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.
13. Only materials listed in the Phoenix Active Management Area Low-Water-Use/Drought-Tolerant Plant List shall be utilized, as approved or modified by the Planning and Development Department.
14. Natural turf shall only be utilized for required retention areas (at the bottom of the basin, and only allowed on slopes if required for slope stabilization), and functional turf areas, as approved by the Planning and Development Department.
15. Pressure regulating sprinkler heads and drip lines shall be utilized in any turf areas to reduce water waste.
16. 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.
17. A minimum 5-foot-wide detached sidewalk separated by a minimum 5-foot-wide landscape strip located between the back of curb and sidewalk shall be constructed on the south side of Quail Avenue, adjacent to the development,

planted to the following standards and maintained with a watering system, as approved by the Planning and Development Department.

- a. Minimum 2-inch caliper, single-trunk, large canopy, drought-tolerant, shade trees, planted 20 feet on center or in equivalent groupings.
- b. Drought-tolerant shrubs, accents, and vegetative groundcovers with a maximum mature height of two feet to achieve a minimum of 50% live coverage.

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

- 18. 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.
- 19. 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.
- 20. 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 1st day of July, 2024.

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 (1 Page)
B – Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION

PARCEL NO. 1:

THE NORTH HALF OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 4 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT THE EAST 251 FEET THEREOF; AND

EXCEPT THE WEST 71 FEET THEREOF; AND

EXCEPT THE NORTH 25 FEET.

PARCEL NO. 2:

THE SOUTH HALF OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 4 NORTH, RANGE 3 EAST OF THE GILE AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

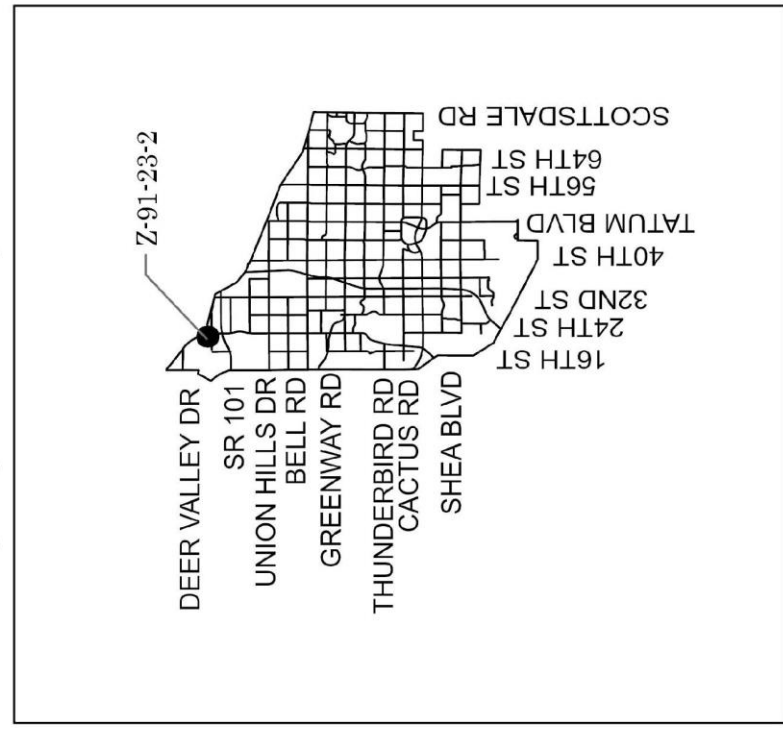
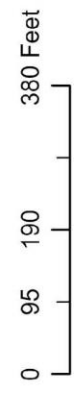
EXCEPT THE EAST 251 FEET THEREOF; AND

EXCEPT THE WEST 71 FEET THEREOF.

ORDINANCE LOCATION MAP

Zoning Case Number: Z-91-23-2
Zoning Overlay: Deer Valley Airport Overlay District
Planning Village: Paradise Valley

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



NOT TO SCALE



Drawn Date: 6/4/2024