

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-62-13-7 PREVIOUSLY APPROVED BY
ORDINANCE G-5930.

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

SECTION 1. The zoning stipulations applicable located approximately 1320 feet south of the southwest corner of 59th Avenue and Lower Buckeye Road in a portion of Section 19, Township 1 North, Range 2 East, as described more specifically in Attachment "A", are hereby modified to read as set forth below.

STIPULATIONS:

1. The development shall be in general conformance with the site plan and landscape plans date stamped ~~February 27, 2014~~, SEPTEMBER 20, 2017 as approved by the Planning and Development Department.
2. A minimum 75-foot landscape setback shall be provided along the ~~west and~~ south property lines and shall utilize the Commerce Park/General Commerce Park landscape standards for plant types, quantity and spacing, as approved by the Planning and Development Department.
3. COMMERCE PARK/GENERAL COMMERCE PARK DEVELOPMENT STANDARDS A ~~minimum 75-foot building setback~~ shall be provided along the ~~west and~~ east property lines, as approved by the Planning and Development Department.
4. A minimum 125-foot building setback shall be provided along the south property line, as approved by the Planning and Development Department.

- ~~5. An eight-foot high decorative wall shall be constructed and set back a minimum of 75 feet from the west property line, as approved by the Planning and Development Department.~~
- ~~6. The perimeter walls adjacent to Lower Buckeye Road and 63rd Avenue shall include material and textural differences, such as stucco and/or split face block with a decorative element, such as tile, glass insets, or stamped designs, as approved by the Planning and Development Department.~~
- 57. Building height shall be limited to a maximum of 48 feet within 150 feet of the south property line, as approved by the Planning and Development Department.
- 68. Outdoor storage shall not be permitted within 250 feet of the north, south and west property lines, EXCEPT FOR THE TRAILER STORAGE SHALL NOT BE LOCATED CLOSER THAN 200 FEET, as approved by the Planning and Development Department.
- ~~9. A one-foot non-vehicular access easement shall be provided along the west property line, as approved by the Planning and Development Department.~~
- 10. Right-of-way totaling 55 feet shall be dedicated for the south half of Lower Buckeye Road. Provide full improvements consisting of curb, gutter, sidewalk, curb ramps, streetlights, landscaping and incidentals for the length of the project.
- 744. Submit amended Traffic Impact Study Analysis updated to proposed development use. Additional improvements may be stipulated based upon study findings.
- 842. Right-of-way totaling 55 feet shall be dedicated for the west half of 59th Avenue. Provide curb, gutter, paving, sidewalk, curb ramps, streetlights, landscaping and incidentals for the length of the project.
- ~~13. Right-of-way totaling 50 feet shall be dedicated for the existing 63rd Avenue Alignment with a minimum 25-foot pavement section to service Williams Street. Provide curb, gutter, sidewalk, paving and incidentals for the length of the project.~~
- ~~14. Right-of-way totaling 60 feet shall be dedicated for the proposed 63rd Avenue from Florence Avenue to Lower Buckeye Road. Provide curb, gutter, paving, sidewalk, curb ramps, streetlights, landscaping and incidentals for the length of the project.~~
- 15. Right-of-way 30 feet shall be dedicated for the east half of 63rd Avenue. Provide curb, gutter, paving, sidewalk, curb ramps, streetlights, landscaping and incidentals for the length of the project.
- 16. Contact Bruce Littleton (602-262-4690) for potential conduit and junction boxes at Lower Buckeye Road and 63rd Avenue for future signal equipment for the intersection. Submittal will be made as a separate document that shows the entire intersections with existing conduit runs and junction boxes. The Developer will submit the approved plan to the Civil Plans Coordinator as part of

~~the civil engineering plan set. All work related to the construction or reconstruction of the signal, conduit runs and junction box installation is the responsibility of the Developer.~~

- 947. The developer shall update all existing off-site street improvements (sidewalks, curb ramps and driveways) to current ADA guidelines.
- 1048. Complete a Red Border Letter to notify ADOT of development adjacent to its freeway corridor and submit it to ~~Alan Hilty~~ in the Street Transportation Department ~~602-262-6193~~, with a copy to the Traffic Engineer and Civil Plans Reviewer.
- 1149. Provide underground street light circuits, poles and fixtures on all public streets in locations approved by the Street Transportation Department. Submit one copy of the approved site plan with three copies of the streetlight plans to the 2nd floor of City Hall to be routed to Street Lighting Section reviewer, ~~Diane Gomez~~ ~~602-262-7223~~.
- 1220. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, setback sidewalk, curb ramps, streetlights, landscape and other incidentals as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
- 13. 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.

SECTION 2. Due to the site's specific physical conditions and the use district granted pursuant to Ordinance G-5930, this portion of the rezoning is now subject to the stipulations approved pursuant to Ordinance G-5930 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 21st day of February ,
2018.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

REVIEWED BY:

City Manager

Exhibits:

A - Legal Description (2 Pages)

B - Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR PHO-1-17-- Z-62-13-7

A-1 Zoning

A portion of the Northeast quarter of Section 19, Township 1 North, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona more particularly described as follows:

Commencing at the North quarter corner of said Section 19;

Thence South 88 degrees 49 minutes 28 seconds East a distance of 967.82 feet to the **Point of Beginning**;

Thence continuing South 88 degrees 49 minutes 28 seconds East a distance of 378.98 feet to the Northeast corner of said Northwest quarter of the Northeast quarter of Section 19;

Thence South 00 degrees 13 minutes 47 seconds West a distance of 1319.20 feet to the Southeast corner of said Northwest quarter of the Northeast quarter of Section 19;

Thence South 88 degrees 46 minutes 48 seconds East a distance of 337.98 feet;

Thence North 00 degrees 10 minutes 28 seconds East a distance of 1319.49 feet to a point on the North line of said Northeast quarter of Section 19;

Thence along said North line, South 88 degrees 49 minutes 28 seconds East a distance of 336.70 feet;

Thence South 00 degrees 07 minutes 08 seconds West a distance of 1319.77 feet to a point on the South line of the Northeast quarter of said Northeast quarter of Section 19;

Thence South 88 degrees 46 minutes 48 seconds East a distance of 675.96 feet to the Southeast corner of said Northeast quarter of the Northeast quarter of Section 19;

Thence South 00 degrees 00 minutes 30 seconds West a distance of 1320.35 feet to the East quarter corner of said Section 19;

Thence along the South line of said Northeast quarter of Section 19, North 88 degrees 44 minutes 09 seconds West a distance of 1736.03 feet;

Thence North 00 degrees 13 minutes 47 seconds East a distance of 2637.82 feet to the **Point of Beginning**.

Note: The above described parcel contains 3,232,013 square feet or 74.1968 acres, more or less.

GCP Zoning

Thence North 40 degrees 35 minutes 05 seconds East a distance of 154.76 feet to the beginning of a tangent curve whose center bears North 49 degrees 24 minutes 55 seconds West a distance of 500.00 feet; A portion of the Northeast quarter of Section 19, Township 1 North, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona more particularly described as follows:

Commencing at the North quarter corner of said Section 19;

Thence South 88 degrees 49 minutes 28 seconds East a distance of 336.70 feet to the **Point of Beginning**;

Thence continuing South 88 degrees 49 minutes 28 seconds East a distance of 631.12 feet

Thence South 00 degrees 13 minutes 47 seconds West a distance of 2637.82 feet to a point on the South line of said Northeast quarter of Section 19;

Thence along the South line of said Northeast quarter of Section 19, North 88 degrees 44 minutes 09 seconds West a distance of 793.89 feet to a point on the East line of that certain Quit Claim Deed as recorded in Document No. 2002-0425032, records of Maricopa County, said point also being a point on the arc of a non-tangent curve whose center bears North 88 degrees 44 minutes 51 seconds West a distance of 362.66 feet;

Thence Northwesterly along the arc of said curve through a central angle of 35 degrees 40 minutes 01 seconds and an arc length of 225.76 feet;

Thence North 34 degrees 24 minutes 52 seconds West a distance of 114.21 feet to the beginning of a tangent curve whose center bears North 55 degrees 35 minutes 08 seconds East a distance of 299.66 feet;

Thence Northwesterly along the arc of said curve through a central angle of 34 degrees 51 minutes 57 seconds and an arc length of 182.35 feet to a point on the West line of said Northeast quarter of Section 19;

Thence along said West line, North 00 degrees 27 minutes 05 seconds East a distance of 1281.31 feet to the beginning of a tangent curve whose center bears South 89 degrees 32 minutes 55 seconds East a distance of 500.00 feet;

Thence Northeasterly along the arc of said curve through a central angle of 40 degrees 08 minutes 00 seconds and an arc length of 350.23 feet;

Thence Northeasterly along the arc of said curve through a central angle of 39 degrees 24 minutes 33 seconds and an arc length of 343.91 feet;

Thence North 01 degrees 10 minutes 32 seconds East a distance of 119.24 feet to the **Point of Beginning**.

Note: The above described parcel contains 2,353,191 square feet or 54.0218 acres, more or less.

ORDINANCE LOCATION MAP

EXHIBIT B

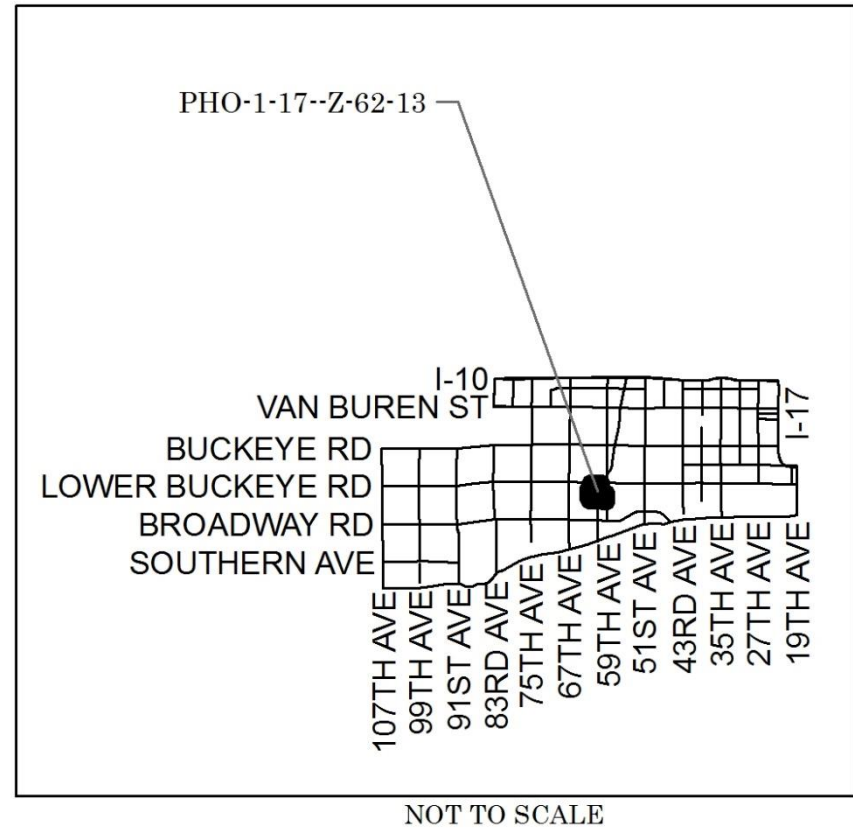
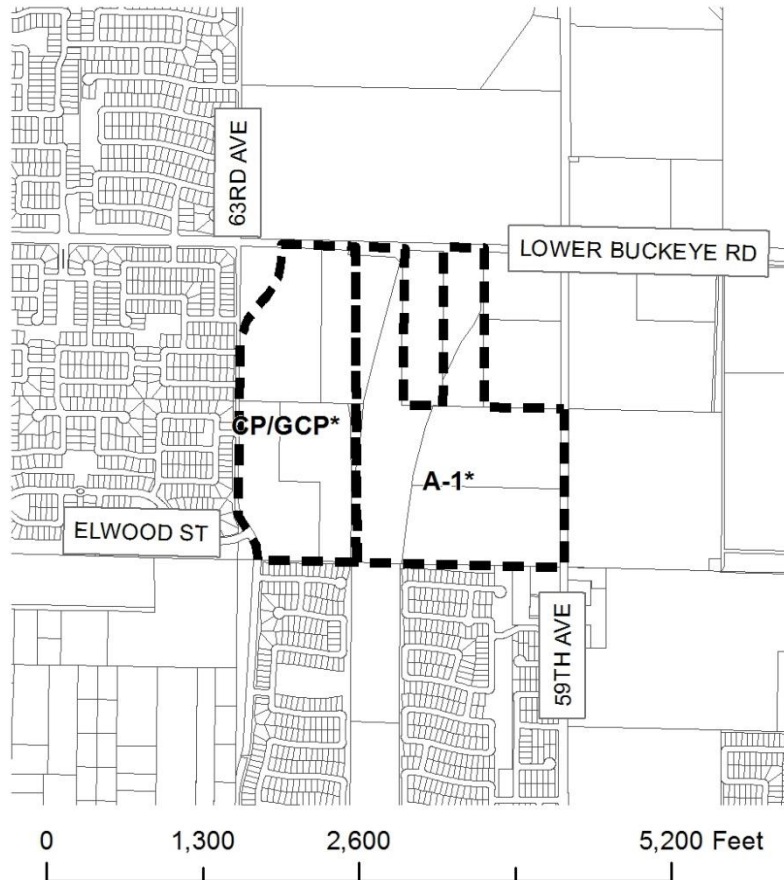
ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: ■ ■ ■ ■ ■

Zoning Case Number: PHO-1-17--Z-62-13

Zoning Overlay: N/A

Planning Village: Estrella



Drawn Date: 1/23/2018