

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-SP-4-21-3) FROM C-2 (INTERMEDIATE COMMERCIAL DISTRICT) TO C-2 SP (INTERMEDIATE COMMERCIAL DISTRICT, SPECIAL PERMIT).

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

SECTION 1. The zoning of a 4.83-acre site located on the southwest corner of 20th Street and Bell Road in a portion of Section 3, Township 3 North, Range 3 East, as described more specifically in Exhibit "A", is hereby changed from "C-2" (Intermediate Commercial District) to "C-2 SP" (Intermediate Commercial District, Special Permit) to auto sales and all underlying C-2 uses.

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 southern landscape setback shall be planted with 2-inch caliper, large canopy shade trees planted 20-feet on center or in equivalent groupings, as approved by the Planning and Development Department.
2. All public sidewalks shall be detached with a landscape strip located between the sidewalk and back of curb following the most recent Cross Section (Cross Section A on Bell Road) of the Street Classification Map and planted to the following standards, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions with a pedestrian environment.
 - a. Minimum 2-inch caliper large canopy, single-trunk, shade trees placed a minimum of 20 feet on center or equivalent groupings to provide a minimum of 75 percent shade on adjacent sidewalks.
 - b. Drought tolerant shrubs and vegetative groundcovers maintained at a maximum height of 24 inches to provide a minimum of 75 percent live coverage at maturity.
3. All uncovered surface parking areas used by customers and employees must be landscaped with minimum 2-inch caliper shade trees. Landscaping must be dispersed throughout the parking area and achieve 15 percent shade at maturity, as approved by Planning and Development Department.
4. The developer shall provide and maintain the following bicycle infrastructure as described below and as approved by the Planning and Development Department.
 - a. The developer shall provide 4 bicycle parking spaces on site or on the site to the west near building entrances. The bicycle parking spaces shall be shaded to 50 percent, as approved by the Planning and Development Department.
 - b. Upon construction of Phase 2, a bicycle repair station ("fix it station") shall be provided on the site in close proximity to 20th Street. The station shall include but not limited to: standard repair tools affixed to the station; a tire gauge and pump; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike, as approved by the Planning and Development Department.

5. The developer shall dedicate 5 feet of right-of-way for the south half of Bell Road, as approved by the Planning and Development Department.
6. The developer shall dedicate a 15-foot-wide sidewalk easement for the south half of Bell Road, as approved by the Planning and Development Departments.
7. 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.
8. Clearly defined, accessible pedestrian pathways shall be provided to connect building entrances, bus stop pads, and public sidewalks, using the most direct route for pedestrians, as approved by the Planning and Development Department. Any cross-access agreements shall include a pedestrian pathway, as approved by the Planning and Development Department.
9. Where pedestrian pathways cross drive aisles, they shall be constructed of decorative pavers, stamped, or colored concrete, or other pavement treatments that visually contrast with the adjacent parking and drive aisle surfaces, as approved by the Planning and Development Department.
10. The developer shall provide a No Hazard Determination for the proposed development from the FAA pursuant to the FAA's Form-7460 obstruction analysis review process, prior to construction permit approval, as per plans approved by the Planning and Development Department.
11. The property owner shall record documents that disclose the existence, and operational characteristics of Deer Valley Airport 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.
12. 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.
13. No deliveries shall take place off of 20th Street and no deliveries shall take place on the site after 10:00 p.m.

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 5th day of January, 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-SP-4-21-3

The Land referred to herein below is situated in the County of Maricopa, State of Arizona, and is described as follows:

Section: 3
Township: 3 North
Range: 3 East

Lot 1, Paradise Valley Auto Park, according to Book 311 of Maps, page 28, records of Maricopa County, Arizona.

ORDINANCE LOCATION MAP

EXHIBIT B

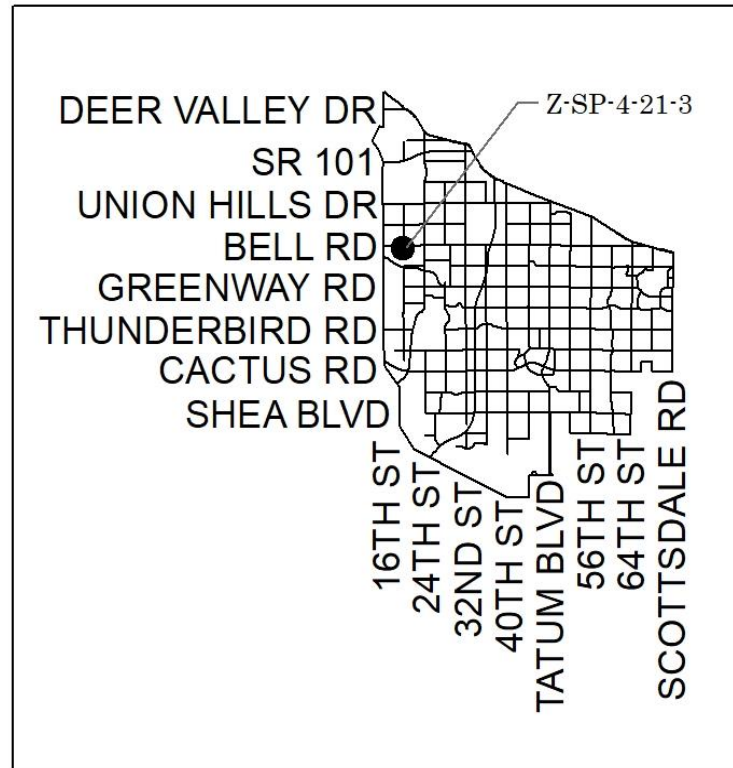
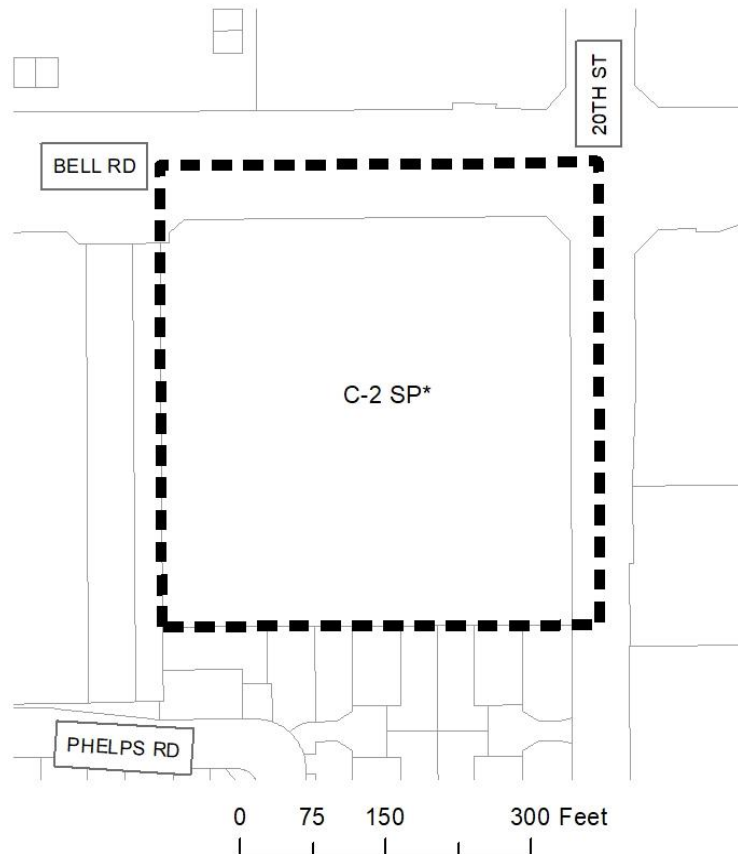
ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: ■ ■ ■ ■ ■

Zoning Case Number: Z-SP-4-21-3

Zoning Overlay: N/A

Planning Village: Paradise Valley



NOT TO SCALE



Drawn Date: 12/7/2021