

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-6-21-7) FROM S-1 (APPROVED C-2) (RANCH OR FARM RESIDENCE DISTRICT, APPROVED 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 3.29-acre site located at the southeast corner of the Loop 202 Freeway and Southern Avenue in a portion of Section 31, Township 1 North, Range 2 East, as described more specifically in Exhibit "A", is hereby changed from "S-1 (Approved C-2)" (Ranch or Farm Residence District, Approved Intermediate Commercial District) to "C-2" (Intermediate Commercial District) with a Special Permit to allow a self-service storage warehouse and underlying commercial 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 development shall be in general conformance with the building elevations date stamped March 1, 2022, with specific regard to the following, as approved by the Planning and Development Department.
 - a. The north elevation of Building A, and east elevation of Building B shall incorporate windows.
 - b. The north elevation of Building A shall incorporate a decorative silo.
 - c. The north and east elevations of Building C shall incorporate decorative elements such as pitched roofs consistent with the elevations of Buildings A and B.
 - d. A minimum of three distinct building materials shall be utilized on all building elevations.
2. 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 25 percent shade at maturity, as approved by Planning and Development Department.
3. Pedestrian walkways connecting the building to adjacent public sidewalks shall be shaded to a minimum of 75 percent using large canopy drought tolerant shade trees at maturity and/or architectural shade.
4. 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 with parking and drive aisle surfaces, as approved by the Planning and Development Department. Vehicular crossings shall be kept to a minimum.
5. A minimum of four bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near the building entrance of each enclosed commercial building 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.

6. The developer shall dedicate a 30-foot-wide multi-use trail easement (MUTE) along the south side of Southern Avenue and construct a minimum 10-foot wide multi-use trail (MUT) within the easement, in accordance with the MAG supplemental detail indicated in Section 429 and as approved by the Planning and Development Department. Where conflicts or restrictions exist, the developer shall work with the Site Planning section on an alternate design through the technical appeal process.
7. The developer shall dedicate minimum 55 feet of right-of-way and construct/permit the south side of Southern Avenue as required by MCDOT and the Street Transportation Department.
8. 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.
9. If determined necessary by the Phoenix Archeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
10. If Phase I data testing is required, and if, upon review of the results from Phase I data testing, the City Archeologist, in consultation with a qualified archeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archeological data recovery excavations.
11. In the event archeological 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 Archeologist, and allow time for the Archeology Office to properly assess the materials.
12. 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 6th day of April, 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-6-21-7

THAT PORTION OF NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 1 NORTH, RANGE 2 EAST, OF THE GILA SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT FOUND PK NAIL IN PAVEMENT MARKING THE NORTHEAST CORNER OF SAID SECTION 31, FROM WHICH BEARS FOUND BRASS CAP IN HAND HOLE STAMPED "LS54404" MARKING THE NORTH QUARTER CORNER OF SAID SECTION 31, BEARS NORTH 89°58'48" WEST (BASIS OF BEARINGS) 2644.65 FEET; AND FROM WHICH A FOUND MARICOPA COUNTY ALUMINUM CAP MARKING THE EAST QUARTER OF SAID SECTION 31 BEARS SOUTH 00°43'54" EAST 2635.30 FEET;

THENCE ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER, NORTH 89°58'48" WEST, A DISTANCE OF 1278.89 FEET;

THENCE SOUTH 00°00'00" EAST, A DISTANCE OF 33.00 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 00°00'00" WEST, A DISTANCE OF 309.64 FEET;

THENCE NORTH 90°00'00" EAST, A DISTANCE OF 69.40 FEET;

THENCE SOUTH 00°00'00" WEST, A DISTANCE OF 155.67 FEET;

THENCE NORTH 90°00'00" WEST, A DISTANCE OF 320.34 FEET;

THENCE NORTH 02°07'27" WEST ALONG A LINE 25.00 FEET WEST OF AND PARALLEL WITH THE EAST RIGHT-OF-WAY LINE OF ARIZONA LOOP 202 RIGHT-OF-WAY, AS SAID RIGHT-OF-WAY IS DESCRIBED IN DOCUMENT 2016-246056, OFFICIAL RECORDS MARICOPA COUNTY RECORDER, A DISTANCE OF 465.72 FEET;

THENCE SOUTH 89°58'48" EAST ALONG A LINE 33.00 FEET SOUTH OF AND PARALLEL WITH SAID NORTH LINE OF THE NORTHEAST QUARTER, A DISTANCE OF 268.20 FEET, TO THE TRUE POINT OF BEGINNING.

CONTAINING 131,594 SQUARE FEET, OR, 3.021 ACRES OF LAND, MORE OR LESS.

ORDINANCE LOCATION MAP

EXHIBIT B

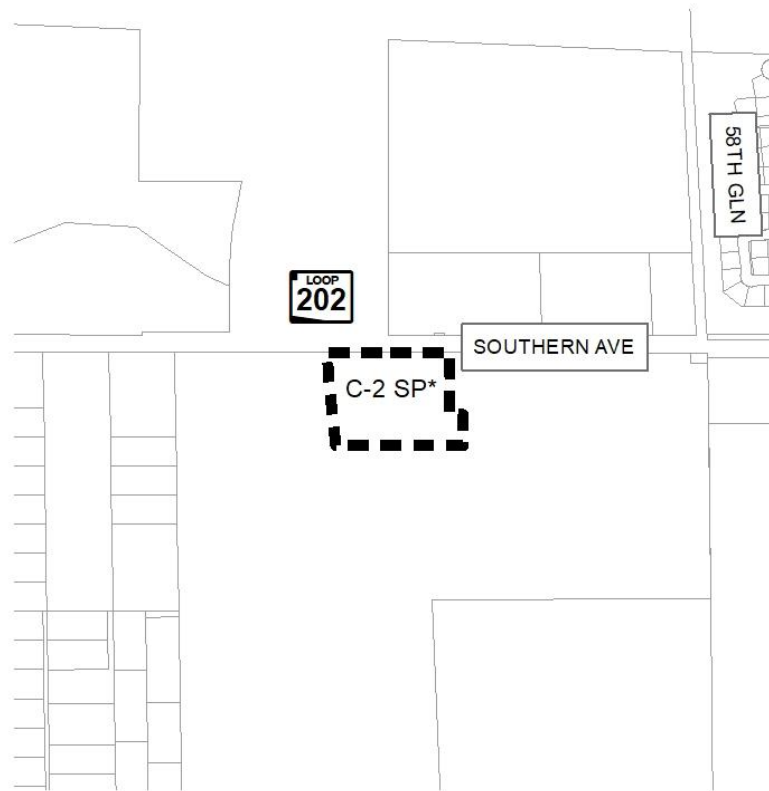
ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: ■ ■ ■ ■ ■

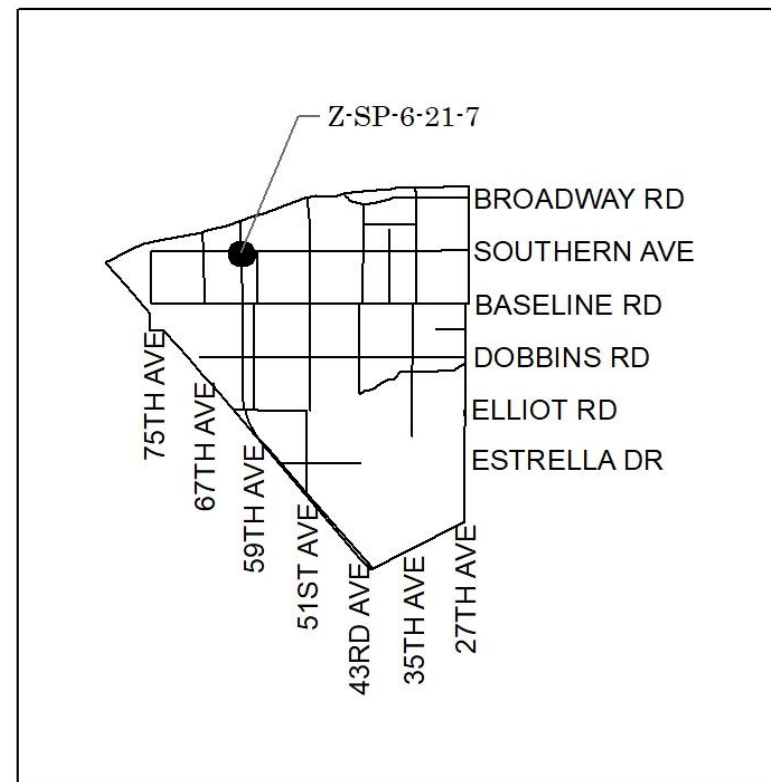
Zoning Case Number: Z-SP-6-21-7

Zoning Overlay: N/A

Planning Village: Laveen



0 375 750 1,500 Feet



NOT TO SCALE



Drawn Date: 3/2/2022