

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-10-17-2) FROM C-2 (INTERMEDIATE COMMERCIAL DISTRICT) TO C-2 SP (INTERMEDIATE COMMERCIAL, SPECIAL PERMIT DISTRICT).

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

SECTION 1. The zoning of an approximately 0.71-acre property located approximately 150 feet north of the northeast corner of Cave Creek Road and Grandview Road in a portion of Section 2, 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, Special Permit 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. Prior to the issuance of a permit for tenant improvements, the landscaping along the Cave Creek Road frontage shall be replenished to provide landscaping in accordance with C-2 zoning district standards for planting type, size and quantity, as approved by the Planning and Development Department. Trees along the street frontages shall be planted adjacent to the sidewalk to provide shade/thermal comfort for pedestrians.
2. No outside amplification or speakers shall be installed.
3. The existing chain-link fence shall be removed and replaced with a decorative wall or fence within 36 months, as approved by the Planning and Development Department.
4. There shall be no more than 30 cars for sale on the site at one time.
5. The striping for the queuing lane shall be obliterated.
6. That all vehicles offered for sale, excluding those displayed along the Cave Creek Road frontage, shall be positioned in designated and striped parking spots.
7. The developer shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence, and operational characteristics of Phoenix Deer Valley Airport (DVT) to future owners and 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
8. 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 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 13th day of December, 2017.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

REVIEWED BY:

City Manager

Exhibits:

A – Legal Description (1 Page)

B – Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR Z-SP-10-17-2

WITHIN A PORTION OF SECTION 2, TOWNSHIP 3 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTH HALF OF LOT 16, BLOCK C, KAY ACRES UNIT 2, ACCORDING TO BOOK 38 OF MAPS, PAGE 33, RECORDS OF MARICOPA COUNTY, ARIZONA;

EXCEPT THE WEST 22 FEET THEREOF; AND ALSO

EXCEPT THE EAST 119 FEET THEREOF; AND ALSO

EXCEPT THAT PORTION CONVEYED TO THE CITY OF PHOENIX BY WARRANTY DEED RECORDED IN DOCUMENT NO. 89-460009, RECORDS OF MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PART OF THE NORTH HALF OF LOT 16, BLOCK C, KAY ACRES UNIT 2, ACCORDING TO BOOK 38 OF MAPS, PAGE 33, RECORDS OF MARICOPA COUNTY, ARIZONA, LYING WITHIN 55 FEET OF THE EAST LINE OF SECTION 3, TOWNSHIP 3 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, AS SHOWN ON THE PLAT OF PARADISE ESTATES, ACCORDING TO BOOK 39 OF MAPS, PAGE 41, RECORDS OF MARICOPA COUNTY, ARIZONA;

EXCEPT THE WEST 22 FEET THEREOF.

ORDINANCE LOCATION MAP

EXHIBIT B

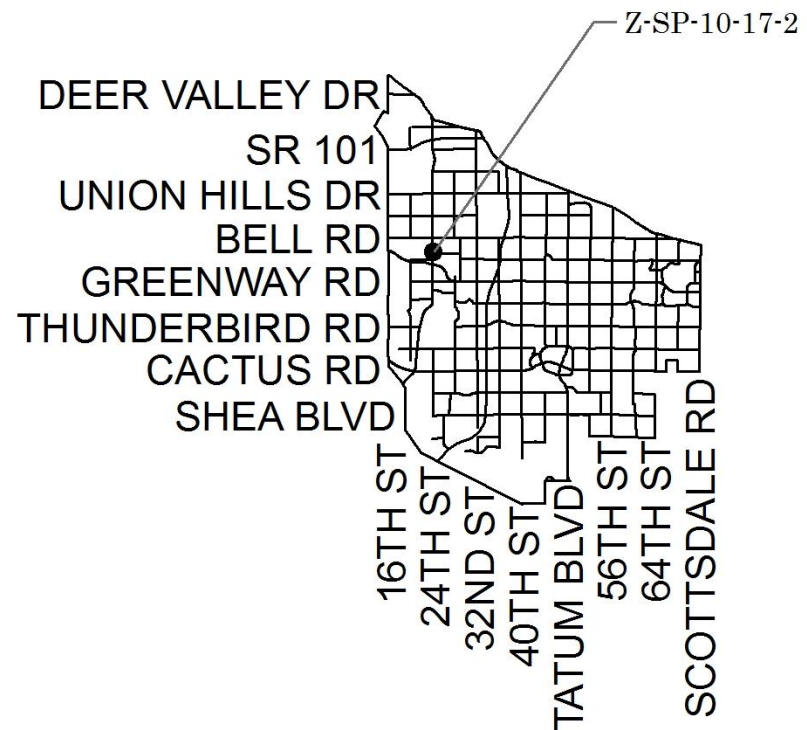
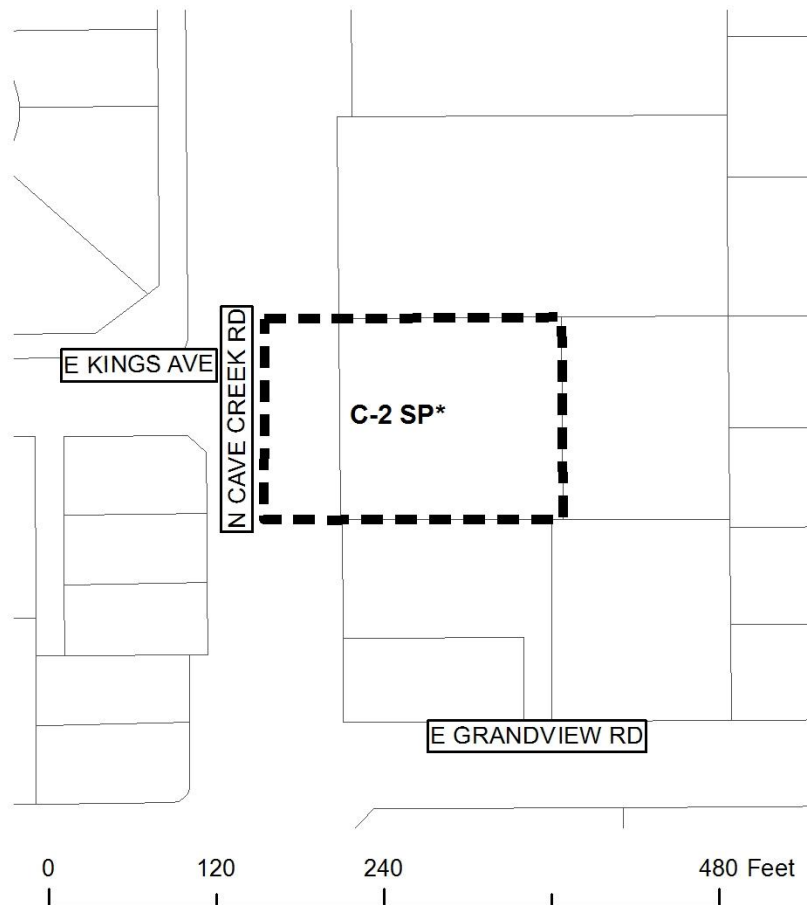
ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: ■ ■ ■ ■ ■

Zoning Case Number: Z-SP-10-17-2

Zoning Overlay: N/A

Planning Village: Paradise Valley



NOT TO SCALE



Drawn Date: 11/1/2017