

## 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-118-14-4 PREVIOUSLY APPROVED BY  
ORDINANCE G-5995.

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

SECTION 1. The zoning stipulations applicable located approximately 121 feet south of the southeast corner of 7th Street and Devonshire Avenue in a portion of Section 21, Township 2 North, Range 3 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 to the site plan date stamped October 27, 2014 AND JANUARY 10, 2018 and elevations date stamped October 27, 2014 and January 13, 2015 AND FEBRUARY 2, 2018 with specific regard to:
  - a. ~~Except for ingress/egress points, no parking/maneuvering shall be allowed between the buildings and the 7th Street frontage;~~
  - b. a. The sidewalk along 7th Street shall be detached from the curb;
  - c. b. Maximum east elevation building height of 39 feet.
2. Required trees in the 7th Street and Devonshire Avenue landscape setbacks shall be placed adjacent to the sidewalk in order to provide shade for pedestrians, as approved by the Planning and Development Department.

3. That development shall provide bicycle parking with an inverted-U design, as approved by the Planning and Development Department, as follows:
  - a. a minimum of two spaces to serve the self-storage facility;
  - b. a minimum of one space per 500 square feet for general retail;
  - c. a minimum of one space per 300 square feet for a restaurant/bar.
4. A 10-foot sidewalk easement shall be dedicated on the 7th Street frontage, as approved by the Planning and Development Department.
5. That the development shall comply with all ADA accessibility standards, as per plans approved by the Planning and Development Department.
6. THE DEVELOPER SHALL RECORD A NOTICE TO PROSPECTIVE PURCHASERS OF PROXIMITY TO AIRPORT IN ORDER TO DISCLOSE THE EXISTENCE AND OPERATIONAL CHARACTERISTICS OF PHOENIX SKY HARBOR INTERNATIONAL AIRPORT (PHX) TO FUTURE OWNERS OR TENANTS OF THE PROPERTY.
7. PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS IN A FORM APPROVED BY THE CITY ATTORNEY'S OFFICE. 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 2. Due to the site's specific physical conditions and the use district granted pursuant to Ordinance G-5995, this portion of the rezoning is now subject to the stipulations approved pursuant to Ordinance G-5995 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 18th day of April , 2018.

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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)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR PHO-1-18-- Z-118-14-4

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MARICOPA, STATE OF ARIZONA, IS A PORTION OF THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 2 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN AND IS DESCRIBED AS FOLLOWS

:

PARCEL NO. 1: (APN 155-17-001)

The West 50 feet of the East 105 feet of Lot 1, Block 1, CHESTERFIELD PLACE, according to Book 6 of Maps, Page 7, records of Maricopa County, Arizona.

PARCEL NO. 2: (APN 155-17-005 & APN 155-17-006)

Lots 2 and 3, Block 1, CHESTERFIELD PLACE, according to Book 6 of Maps, Page 7, records of Maricopa County, Arizona;

EXCEPT The West 7 feet of Lots 2 and 3.

PARCEL NO. 3: (APN 155-17-007)

Lot 4, Block 1, CHESTERFIELD PLACE, according to Book 6 of Maps, Page 7, records of Maricopa County, Arizona.

PARCEL NO. 4: (APN 155-17-008)

Lot 5, Block 1, CHESTERFIELD PLACE, according to Book 6 of Maps, Page 7, records of Maricopa County, Arizona;

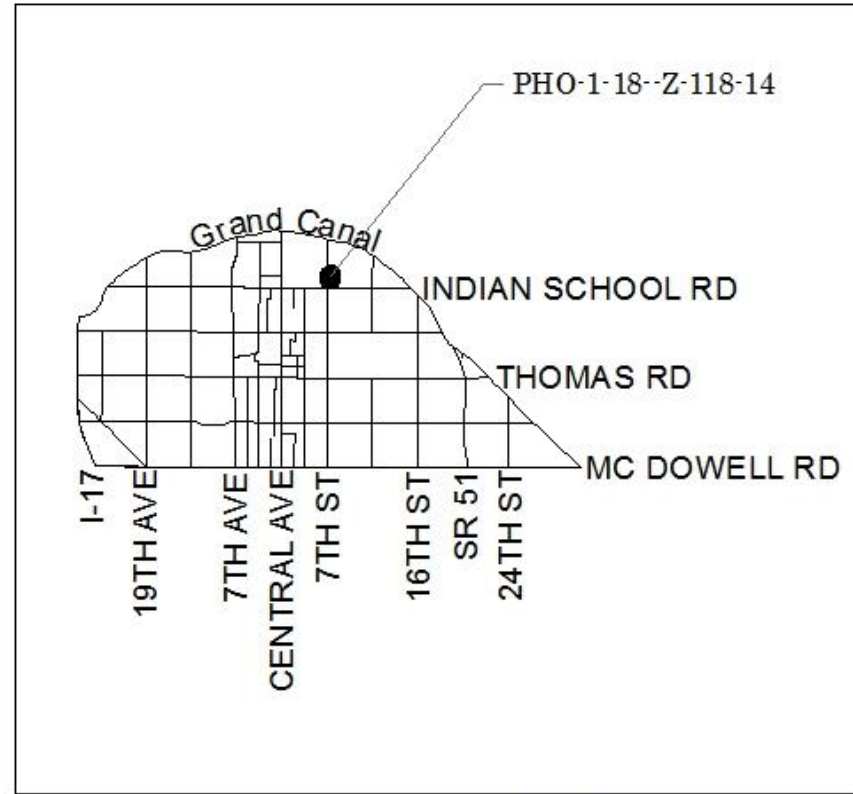
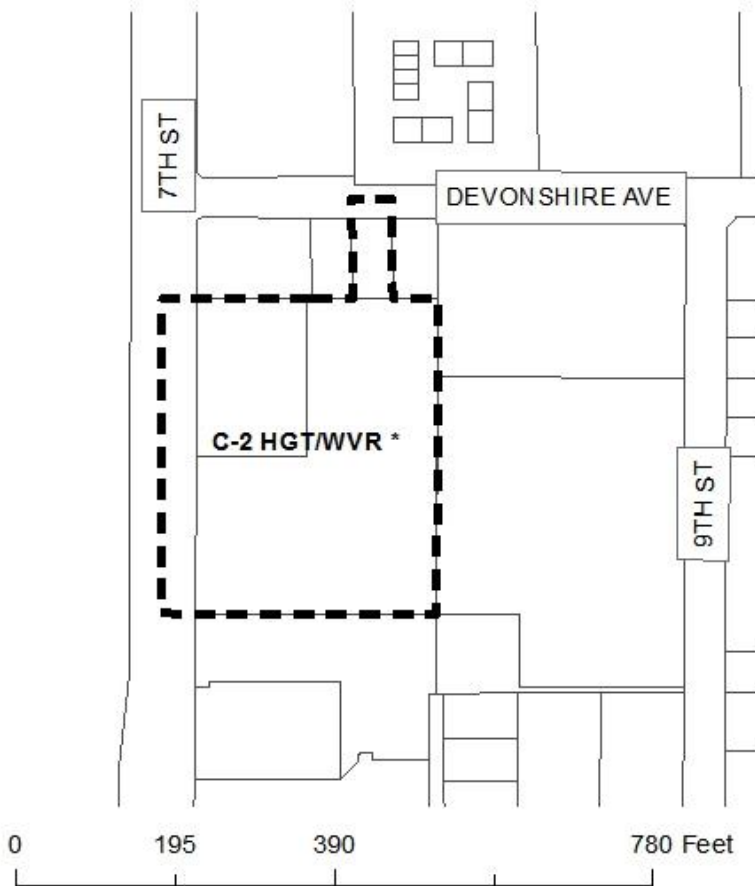
EXCEPT The East 5 feet for ditch as set forth on Deed recorded in Book 187 of Deeds, Page 447.

# ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: \*  
SUBJECT AREA: - - - - -

Zoning Case Number: PHO-1-18-Z-118-14  
Zoning Overlay: N/A  
Planning Village: Encanto



NOT TO SCALE



Drawn Date: 3/22/2018