

## 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-2-20-8) FROM C-2 FCOD RSIOD (INTERMEDIATE COMMERCIAL, FOUR CORNERS OVERLAY DISTRICT, RIO SALADO INTERIM OVERLAY DISTRICT) TO C-2 SP FCOD RSIOD (INTERMEDIATE COMMERCIAL, SPECIAL PERMIT, FOUR CORNERS OVERLAY DISTRICT, RIO SALADO INTERIM OVERLAY DISTRICT).

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

SECTION 1. The zoning of a 1.29 acre site located at the northwest corner of 25th Street and Broadway Road in a portion of Section 23, Township 1 North, Range 3 East, as described more specifically in Exhibit "A", is hereby changed from "C-2 FCOD RSIOD" (Intermediate Commercial, Four Corners Overlay District, Rio Salado Interim Overlay District) to "C-2 SP FCOD RSIOD" (Intermediate Commercial, Special Permit, Four Corners Overlay District, Rio Salado Industrial Overlay 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. The sidewalk along Broadway Road shall be a minimum of 10-feet-wide and detached with a minimum 6-foot-wide landscape area between the sidewalk and the back of curb and a minimum 8-foot-wide landscape area on the north side of the sidewalk, planted with minimum 3-inch caliper single trunk shade trees planted a minimum of 20 feet on center or in equivalent groupings along both sides of the sidewalk, as approved by the Planning and Development Department.
2. The sidewalk along 25th Street shall be detached with a minimum 5-foot-wide landscaped strip located between the sidewalk and back of curb and shall include minimum 3-inch caliper single trunk shade trees planted a minimum of 20 feet on center or in equivalent groupings along both sides of the sidewalk, as approved by the Planning and Development Department.
3. The bus stop pad on Broadway Road and the detached sidewalks on both 25th Street and Broadway Road shall be shaded a minimum of 50 percent using shade trees, as approved by the Planning and Development Department.
4. Pedestrian pathways connecting the site to the adjacent streets shall be shaded a minimum of 75 percent using shade trees and architectural shade, as approved by the Planning and Development Department.
5. The developer shall plant shade trees in and around the parking area to provide shade for 50 percent of the parking area, as approved by the Planning and Development Department.
6. A minimum of two inverted-U bicycle racks shall be provided near building entries and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
7. The developer shall provide clearly defined, accessible pathways constructed of decorative pavers, stamped or colored concrete, or other pavement

treatments that visually contrast with the adjacent parking and drive aisles surfaces. The pathways shall connect all building entrances and exits, the bus stop pad, and all public sidewalks utilizing the minimum possible distance and providing the most direct route, as approved by the Planning and Development Department.

8. The developer shall provide traffic calming measures at vehicular points of ingress and egress to slow vehicles departing the development, as approved by the Planning and Development Department.
9. The developer shall dedicate right-of-way and construct one bus stop pad along westbound Broadway Road west of 25th Street. Bus stop pad shall be constructed according to City of Phoenix Standard Detail P1262 with a minimum depth of 10 feet. Bus stop pad shall be spaced from the intersection of 25th Street and Broadway Road according to City of Phoenix Standard Detail P1258.
10. The developer shall dedicate a sidewalk easement that is a minimum of 10 feet wide along Broadway Road as approved by the Street Transportation Department and the Planning and Development Department.
11. 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.
12. 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. The form and content of such documents shall be according to the templates and instructions provided which have been viewed and approved by the City Attorney.
13. The developer shall provide documentation to the City prior to construction permit approval that Form 7460-1 has been filed for the development and that the development received a "No Hazard Determination" from the FAA. If temporary equipment used during construction exceeds the height of the permanent structure a separate Form 7460-1 shall be submitted to the FAA and a "No Hazard Determination" obtained prior to the construction start date.
14. 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.

15. 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 24th day of June, 2020.

\_\_\_\_\_  
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-2-20-8

A RE-PLAT OF LOTS 11 THROUGH 16, INCLUSIVE, "NORTH BROADWAY ESTATES UNIT ONE" AS RECORDED IN BOOK 41, PAGE 17, MARICOPA COUNTY RECORDS A ONE LOT COMMERCIAL SUBDIVISION BEING A PORTION OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 1 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN MARICOPA COUNTY, ARIZONA.

# ORDINANCE LOCATION MAP

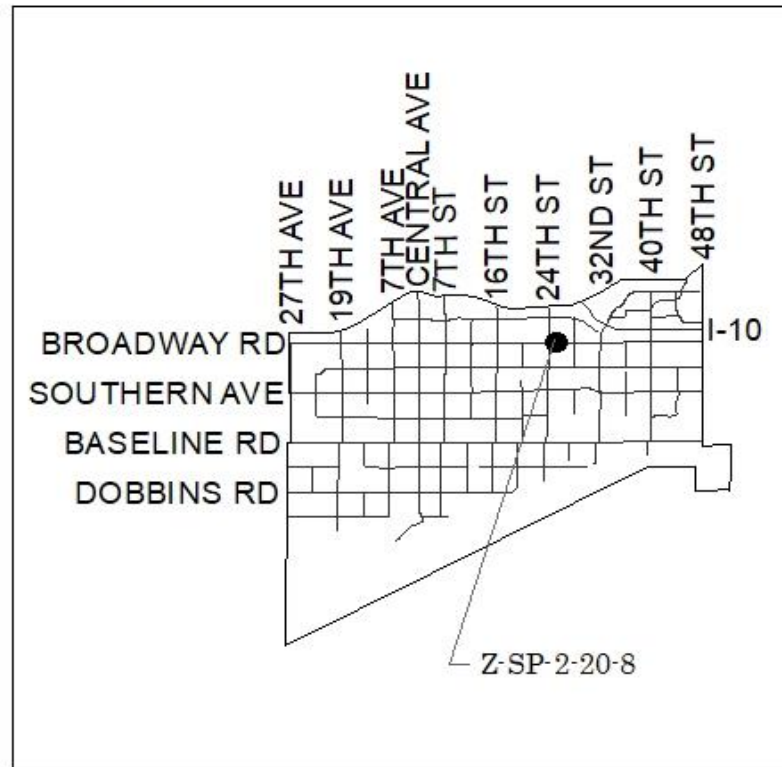
EXHIBIT B

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



0 50 100 200 Feet

Zoning Case Number: Z-SP-2-20-8  
Zoning Overlay: Rio Salado Interim Overlay District and  
Four Corners Overlay District  
Planning Village: South Mountain



NOT TO SCALE



Drawn Date: 5/21/2020