

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 ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-27-23-1) FROM IND. PK. DVAO (INDUSTRIAL PARK, DEER VALLEY AIRPORT OVERLAY DISTRICT) TO C-3 DVAO (GENERAL COMMERCIAL, DEER VALLEY AIRPORT OVERLAY DISTRICT).

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

SECTION 1. The zoning of a 7.91-acre property located at the southwest corner of 19th Avenue and Quail Avenue in a portion of Section 24, Township 4 North, Range 2 East, as described more specifically in Exhibit "A," is hereby changed from "IND.PK. DVAO" (Industrial Park, Deer Valley Airport Overlay District) to "C-3 DVAO" (General Commercial, Deer Valley Airport 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 development shall be in general conformance with the elevations date stamped May 4, 2023, as modified by the following stipulations and approved by the Planning and Development Department.
2. 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 contrast parking and drive aisle surfaces, as approved by the Planning and Development Department.
3. A minimum of 5% of the required parking spaces shall include Electric Vehicle (EV) Installed infrastructure, as approved by the Planning and Development Department.
4. All nonresidential uses over 5,000 square feet floor area shall provide one bicycle parking space per 25 vehicle parking spaces, with a maximum of 25 spaces. Bicycle parking shall be provided through Inverted U and/or artistic racks located near the front office 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.
5. Existing streetscape beginning at back of curb shall be replenished with the approved landscaping and ground cover along 19th Avenue and Quail Avenue, as approved by the Planning and Development Department.
6. All streets within and adjacent to the development shall be constructed 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.
7. 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.
8. 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 4th day of October, 2023.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Julie M. Kriegh, 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-27-23-1

Within a portion of Section 24, Township 4 North, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

PARCEL 1:

LOT 31, AZTEC BUSINESS PARK, A SUBDIVISION RECORDED IN BOOK 310 OF MAPS, PAGE 48 AND CERTIFICATES OF CORRECTION RECORDED IN RECORDING NO. 87-384338 THROUGH 87-384341, INCLUSIVE, RECORDS OF MARICOPA COUNTY, ARIZONA.

EXCEPT THE WEST 229 FEET.

PARCEL 2:

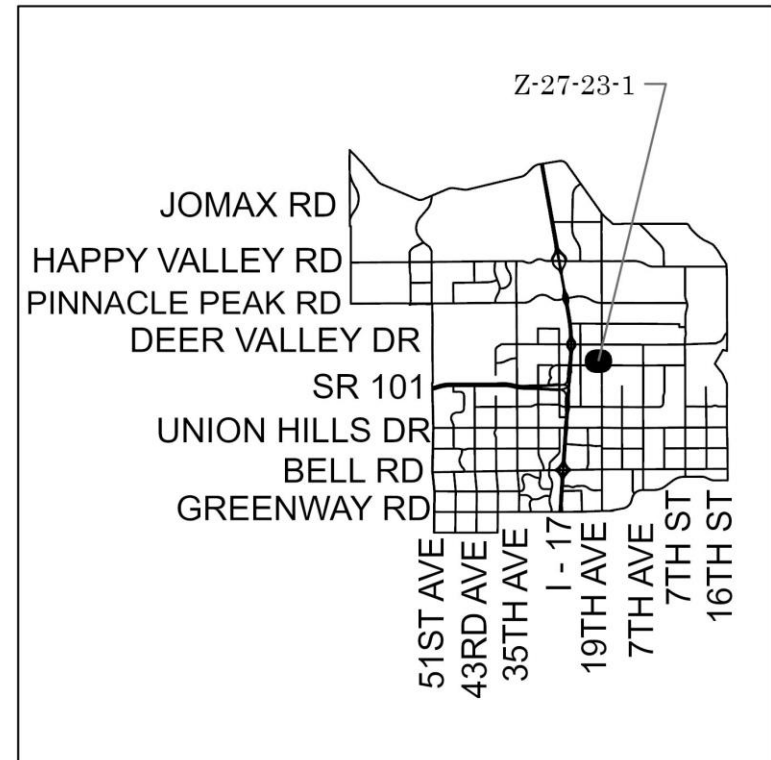
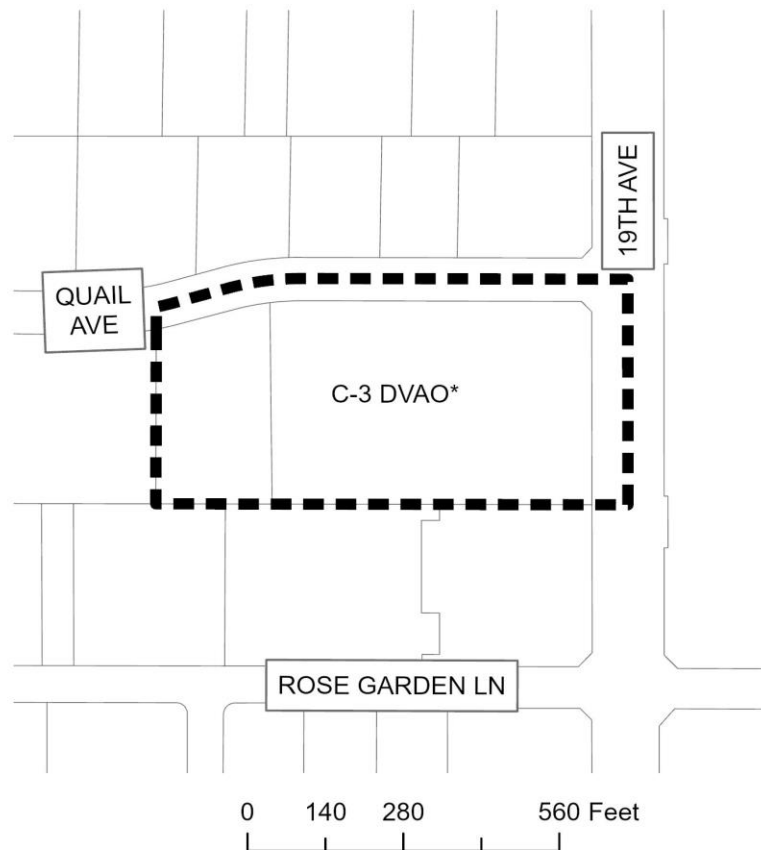
LOT 32, AZTEC BUSINESS PARK, A SUBDIVISION RECORDED IN BOOK 310 OF MAPS, PAGE 48 AND CERTIFICATES OF CORRECTION RECORDED IN RECORDING NO. 87-384338 THROUGH 87-384341, INCLUSIVE, RECORDS OF MARICOPA COUNTY, ARIZONA.

ORDINANCE LOCATION MAP

EXHIBIT B

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

Zoning Case Number: Z-27-23-1
Zoning Overlay: Deer Valley Overlay District
Planning Village: Deer Valley



NOT TO SCALE



Drawn Date: 9/5/2023