

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-29-18-1) FROM CP/GCP DVAO (COMMERCE PARK/GENERAL COMMERCE PARK DISTRICT, DEER VALLEY AIRPORT OVERLAY) TO A-1 DVAO (LIGHT INDUSTRIAL DISTRICT, DEER VALLEY AIRPORT OVERLAY).

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

SECTION 1. The zoning of an approximately 4.13-acre property located approximately 320 feet north of the northeast corner of 19th Avenue and Park View Lane in a portion of Section 7, Township 4 North, Range 3 East, as described more specifically in Exhibit "A", is hereby changed from "CP/GCP DVAO" (Commerce Park/General Commerce Park District, Deer Valley Airport Overlay), to "A-1 DVAO" (Light Industrial District, Deer Valley Airport Overlay).

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. All buildings on the site shall be similar and incorporate architectural styles, materials, forms, features, colors and compatible elements from the same site and the site to the south. These should include: continuation of distinctive rooflines, covered walkway alignments, consistent detailing of finish, accent features on all visible sides of structures, compatible shapes, material, wall and landscaping treatment of the buildings to the south, as approved by the Planning and Development Department.
2. All sidewalks shall be detached with a minimum five foot wide landscaped strip located between the sidewalk and back of curb and shall include a minimum two inch caliper shade trees planted a minimum of 20 feet on center or equivalent groupings between the sidewalk and back of curb, as approved by the Planning and Development Department
3. A minimum landscape setback of 10 feet shall be required along the eastern property line and shall include a minimum two-inch caliper shade trees planted a minimum of 20 feet on center or equivalent groupings, as approved by the Planning and Development Department
4. The landscape setback along 19th Avenue shall be planted with a minimum 50% two-inch caliper trees, minimum 25% three-inch caliper trees, and a minimum 25% four-inch caliper trees, planted at a minimum of 20 feet on center or equivalent groupings, as approved by the Planning and Development Department. A minimum of five 5-gallon shrubs shall be planted per tree.
5. There shall be a minimum 10 percent landscaping in the parking lot, as approved by the Planning and Development Department.
6. All landscaping provided shall be from the Plant List provided in the *Sonoran Boulevard Development Standards for Happy Valley Road* adopted by City Council on December 18, 1996, as approved by the Planning and Development Department.
7. A 10-foot wide multi-use trail shall be constructed within a 30-foot easement per the detail in accordance with the MAG supplemental detail 429 along the east side of 19th Avenue, as approved by the Planning and Development 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. The property owner 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 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 reviewed and approved by the City Attorney.
10. 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.
11. 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 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 3rd day of October, 2018.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

_____ City Attorney

REVIEWED BY:

_____ City Manager

Exhibits:

A – Legal Description (1 Pages)

B – Ordinance Location Map (1 Page)

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EXHIBIT A

LEGAL DESCRIPTION FOR Z-29-18-1

Lot 11 of Section 7, Township 4 North, Range 3 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona:
Except the West 55 feet thereof.

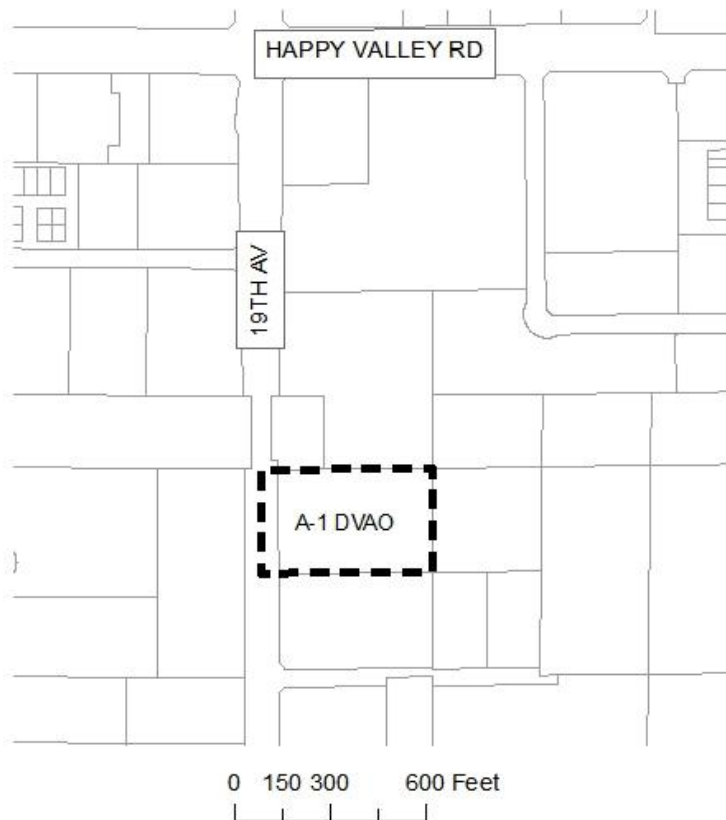
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ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *

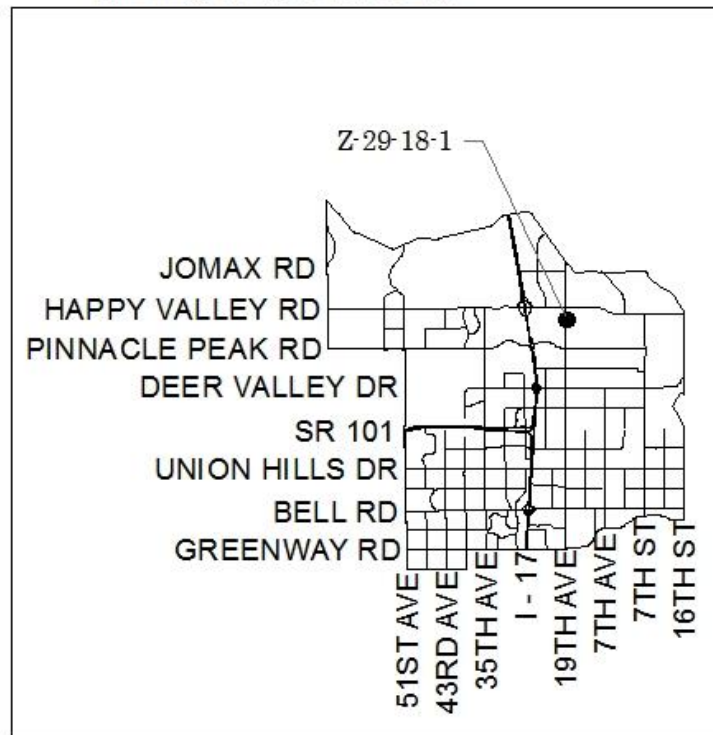
SUBJECT AREA: ■ ■ ■ ■ ■



Zoning Case Number: Z-29-18-1

Zoning Overlay: Deer Valley Airport Overlay District (DVAO)

Planning Village: Deer Valley



NOT TO SCALE



Drawn Date: 9/6/2018