

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 (Z-3-23-8) FROM R-4 RSIOD (MULTIFAMILY RESIDENCE DISTRICT, RIO SALADO INTERIM OVERLAY DISTRICT) TO CP/GCP RSIOD (COMMERCE PARK DISTRICT/GENERAL COMMERCE PARK OPTION, RIO SALADO INTERIM OVERLAY DISTRICT).

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

SECTION 1. The zoning of a 28.32-acre site located at the northeast corner of 12th Street and Jones Avenue in a portion of Section 21, Township 1 North, Range 3 East, as described more specifically in Exhibit "A," is hereby changed from "R-4 RSIOD" (Multifamily Residence District, Rio Salado Interim Overlay District) to "CP/GCP RSIOD" (Commerce Park District/General Commerce Park Option, Rio Salado Interim 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. A minimum of 1.7% of the gross site area shall be provided as publicly-accessible open space, located in the northwest corner of the subject site as shown on the site plan date stamped April 11, 2023, as approved by the Planning and Development Department.
2. The ground floor storefront area (the first 10 feet from grade) of the southern façade of Building 1 and northern façade of Building 2, as shown on the site plan date stamped April 11, 2023, shall incorporate a minimum of 25% of accent materials. The accent materials may include adobe, glass, metal (including rusted metal), stone, stone veneer, and/or wood, as approved by Planning and Development Department.
3. The elevation facade facing 12th Street shall be in general conformance with the renderings date stamped April 11, 2023, with specific regard to the mix of materials, glazing, entry features, and accent colors. Glazing at the ground floor storefront area (the first 10 feet from grade) shall be a minimum of 50% of the western façade facing 12th Street.
4. The maximum building height shall be 42 feet.
5. 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 contrasts parking and drive aisle surfaces, as approved by the Planning and Development Department.
6. One bicycle space per 25 vehicle parking spaces, for a maximum of 25 spaces, shall be provided through Inverted U and/or artistic racks located near the building entrances or in a secure location inside the building and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
7. A minimum of three outdoor employee resting areas shall be provided along the north and northeastern portions of the site. The following elements shall be provided, as approved by the Planning and Development Department:
 - a. Each resting area shall be a minimum of 200 square feet.
 - b. A pathway shall be provided to connect the buildings to these resting areas and to the public sidewalk.

- c. Each resting area shall contain a minimum of two seating benches constructed of quality and durable materials.
 - d. Each resting area shall be shaded to a minimum of 75% using minimum 2-inch caliper large canopy drought-tolerant shade trees and/or architectural shade.
- 8. If a perimeter fencing is proposed adjacent to the San Francisco Canal, the fencing shall be a minimum of 75% view fencing, as approved by the Planning and Development Department. Any perimeter fencing requirement by the City of Phoenix are subject to review and approval of SRP.
- 9. The development shall utilize the C-2 streetscape landscape standards for planting type, size and quantity within the required landscape setbacks along the 12th Street and Jones Avenue frontages, as approved by the Planning and Development Department.
- 10. A minimum of one milkweed shrub, or other native nectar species, shall be planted for every required tree in addition to the required shrubs, and shall be planted in groups of three or more, as approved by the Planning and Development Department.
- 11. All uncovered surface parking lot areas shall be landscaped with minimum 2-inch caliper drought-tolerant shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25% shade at maturity, as approved by Planning and Development Department.
- 12. A minimum 5-foot-wide detached sidewalk and minimum 5-foot-wide landscape strip located between the back of curb and sidewalk shall be provided along the east side of 12th Street, as approved by the Planning and Development Department and planted to the following standards:
 - a. A watering drip system to sustain trees within the right-of-way and/or sidewalk easement shall be provided and maintained along 12th Street.
 - b. Fifty percent of the trees shall be minimum 2-inch caliper and 50 percent of the trees shall be minimum 3-inch caliper, with five 5-gallon shrubs per tree.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

- 13. A minimum 30 feet of right-of-way shall be dedicated along the north side of Jones Avenue for the length of the development to the western boundary of APN 113-26-019, as approved by the Planning and Development Department.

14. Trucks shall be prohibited from exiting onto Jones Avenue. This shall be implemented through the design of the site, signage, a combination thereof, or other methods, as approved by the Planning and Development Department.
15. The developer shall submit a traffic impact study for this development. No preliminary approval of plans shall be granted until the study has been reviewed and approved by the City.
16. 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.
17. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
18. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
19. 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.
20. 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 6th day of December, 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 (2 Pages)
B – Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR Z-3-23-8

A PORTION OF THE WESTERLY RIGHT-OF-WAY OF 12TH STREET AND A PORTION OF THE SOUTH HALF OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, ALSO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A NAIL WITH NO IDENTIFICATION MARKING THE SOUTH QUARTER CORNER OF SAID SECTION 21 FROM WHICH A 3-INCH CITY OF PHOENIX BRASS CAP IN HANDHOLE (0.60' DOWN) MARKING THE SOUTHEAST CORNER OF SAID SECTION 21 BEARS NORTH 89 DEGREES 54 MINUTES 54 SECONDS EAST 2655.42 FEET, SAID DESCRIBED LINE BEING THE BASIS OF BEARINGS FOR THIS DESCRIPTION;

THENCE NORTH 02 DEGREES 18 MINUTES 52 SECONDS WEST 1378.42 FEET ALONG THE MONUMENT LINE OF 12TH STREET TO A 3-INCH CITY OF PHOENIX BRASS CAP FLUSH MARKING ITS INTERSECTION WITH JONES AVENUE AND THE POINT OF BEGINNING;

THENCE CONTINUING NORTH 02 DEGREES 18 MINUTES 52 SECONDS WEST 229.65 FEET ALONG SAID MONUMENT LINE;

THENCE NORTH 08 DEGREES 01 MINUTES 07 SECONDS EAST 897.61 FEET CONTINUING ALONG SAID MONUMENT LINE TO THE SOUTHERLY LINE OF THE NORTH BRANCH SAN FRANCISCO CANAL;

THENCE CONTINUING ALONG SAID SOUTHERLY LINE THE FOLLOWING FIVE CALLS:

THENCE SOUTH 71 DEGREES 37 MINUTES 37 SECONDS EAST 414.95 FEET;

THENCE SOUTH 02 DEGREES 50 MINUTES 05 SECONDS EAST 15.04 FEET;

THENCE SOUTH 30 DEGREES 22 MINUTES 40 SECONDS EAST 21.27 FEET;

THENCE SOUTH 81 DEGREES 02 MINUTES 54 SECONDS EAST 165.02 FEET;

THENCE SOUTH 64 DEGREES 53 MINUTES 02 SECONDS EAST
202.31 FEET TO THE SOUTH LINE OF THAT 20 FOOT PUBLIC
RIGHT-OF-WAY DESCRIBED IN BOOK 10 OF MAPS, PAGE 22,
RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE SOUTH 60 DEGREES 41 MINUTES 58 SECONDS EAST
298.75 FEET ALONG SAID SOUTH LINE TO THE TO THE
SOUTHERLY LINE OF SAID NORTH BRANCH SAN FRANCISCO
CANAL;

THENCE CONNNUING ALONG SAID SOUTH LINE THE FOLLOWING
SEVEN CALLS:

THENCE SOUTH 51 DEGREES 19 MINUTES 36 SECONDS EAST
16.51 FEET;

THENCE SOUTH 32 DEGREES 46 MINUTES 20 SECONDS EAST 236.04
FEET;

THENCE SOUTH 27 DEGREES 08 MINUTES 09 SECONDS EAST 98.31
FEET;

THENCE SOUTH 35 DEGREES 57 MINUTES 34 SECONDS EAST 122.11
FEET;

THENCE SOUTH 50 DEGREES 21 MINUTES 55 SECONDS EAST 227.39
FEET;

THENCE SOUTH 71 DEGREES 19 MINUTES 17 SECONDS EAST 210.44
FEET;

THENCE SOUTH 74 DEGREES 24 MINUTES 13 SECONDS EAST
107.32 FEET TO THE NORTHERLY PROLONGATION OF THE NORTH
LINE OF THE FINAL PLAT FOR SALT RIVER FLATS, RECORDED IN
BOOK 1693 OF MAPS, PAGE 39, RECORDS OF MARICOPA
COUNTY, ARIZONA;

THENCE SOUTH 11 DEGREES 35 MINUTES 28 SECONDS WEST
55.36 FEET ALONG SAID NORTH LINE;

THENCE SOUTH 89 DEGREES 49 MINUTES 22 SECONDS WEST
1851.88 FEET CONTINUING ALONG SAID NORTH LINE TO THE
POINT OF BEGINNING.

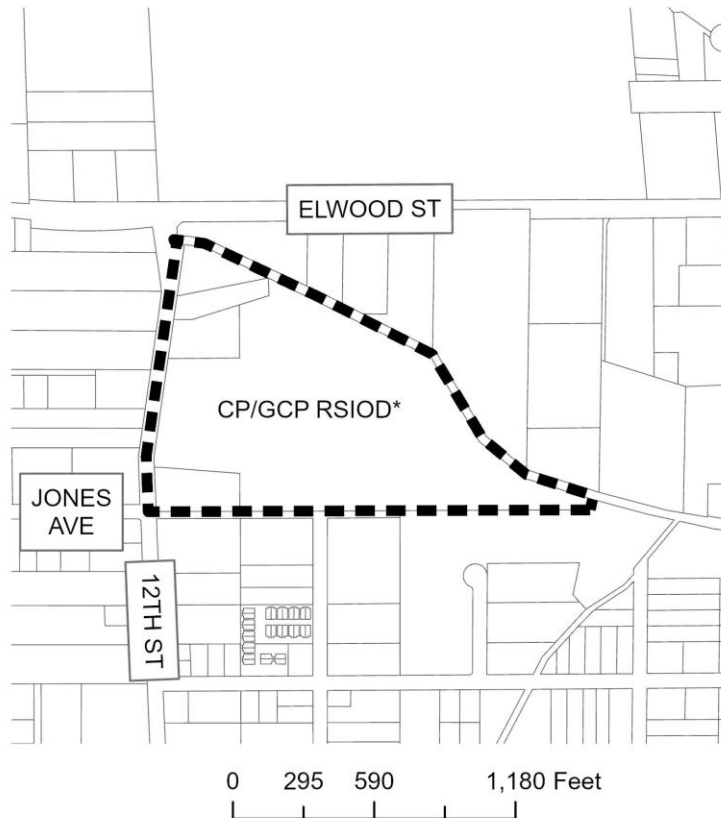
COMPRISING OF 1,220,584 SQUARE FEET MORE OR LESS.

ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *

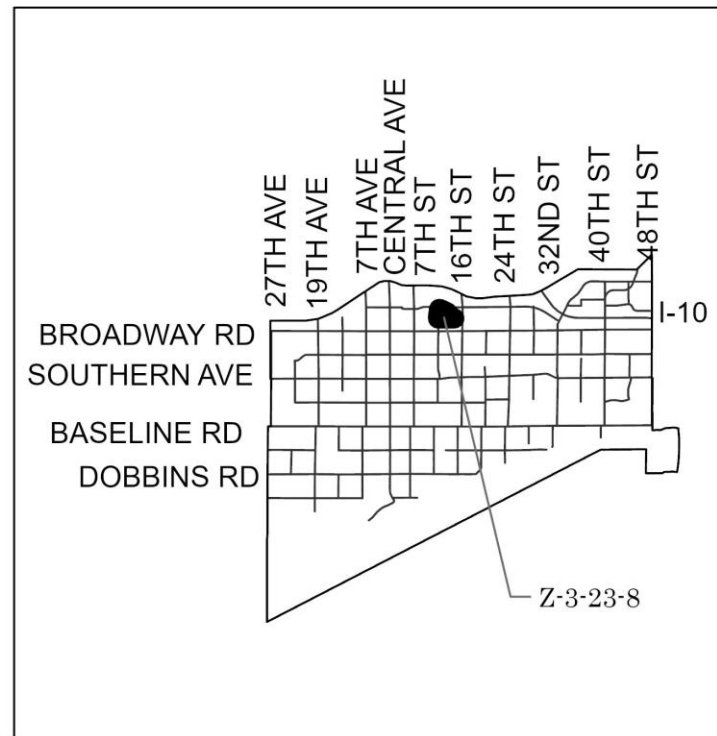
SUBJECT AREA: ■ ■ ■ ■ ■



Zoning Case Number: Z-3-23-8

Zoning Overlay: Rio Salado Interim Overlay District

Planning Village: South Mountain



NOT TO SCALE



Drawn Date: 9/5/2023