

ATTACHMENT A

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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-75-21-2) FROM C-2 M-R NBCOD (INTERMEDIATE COMMERCIAL, MID-RISE, NORTH BLACK CANYON OVERLAY DISTRICT), CP/GCP M-R PCD NBCOD (COMMERCE PARK/GENERAL COMMERCE PARK, MID-RISE, PLANNED COMMUNITY DISTRICT, NORTH BLACK CANYON OVERLAY DISTRICT), AND CP/GCP M-R NBCOD (COMMERCE PARK/GENERAL COMMERCE PARK, MID-RISE, NORTH BLACK CANYON OVERLAY DISTRICT) TO C-2 NBCOD (INTERMEDIATE COMMERCIAL, NORTH BLACK CANYON OVERLAY DISTRICT).

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

SECTION 1. The zoning of a 1.26-acre site located approximately 460 feet south of the southwest corner of North Valley Parkway and Dove Valley Road in a portion of Section 13 and 14, Township 5 North, Range 2 East, as described more specifically in Exhibit "A," is hereby changed from 0.60 acres of "C-2 M-R NBCOD" (Intermediate Commercial, Mid-Rise, North Black Canyon Overlay District), 0.48 acres of "CP/GCP M-R PCD NBCOD" (Commerce Park/General Commerce Park, Mid-Rise,

Planned Community District, North Black Canyon Overlay District), and 0.18 acres of “CP/GCP M-R NBCOD” (Commerce Park/General Commerce Park, Mid-Rise, North Black Canyon Overlay District), to “C-2 NBCOD” (Intermediate Commercial, North Black Canyon 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 site plan date stamped November 22, 2021, as modified by the following stipulations and approved by the Planning and Development Department.
2. All elevations of the building shall contain a minimum of three building materials as well as architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, variation in window size and location, and/or overhang canopies, as approved by the Planning and Development Department.
3. All buildings, wall colors, and materials shall be in compliance with the North Black Canyon Overlay District with specific regard to colors being muted and blending, rather than contrasting strongly, with the surrounding desert environment, as approved by the Planning and Development Department.
4. Clearly defined, accessible pedestrian pathways shall be provided to connect building entrances and public sidewalks using the most direct route for pedestrians, as approved by the Planning and Development Department.
5. Where pedestrian pathways cross drive aisles, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or another material, other than those used to pave parking surfaces and drive aisles, as approved by the Planning and Development Department.

6. A minimum of 75 percent of pedestrian pathways and sidewalks shall be shaded by a structure, landscaping at maturity, or a combination of the two, as approved by the Planning and Development Department.
7. A minimum of two inverted U-bicycle spaces for guests or employees shall be provided on site and installed per the requirements of Section 1307.H of the Zoning Ordinance, as approved by the Planning and Development Department.
8. Median openings along North Valley Parkway are prohibited unless otherwise approved by the Street Transportation Department.
9. The developer shall provide conduit and junction boxes at the northwest corner of the southern (east/west) collector street and North Valley Parkway for future traffic signal equipment, as approved by the Street Transportation Department.
10. 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.
11. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeology 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.
12. 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, determine such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
13. 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.

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 April, 2022.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Cris Meyer, 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-75-21-2

LEGAL DESCRIPTION – LOT 2

A PORTION OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 5 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 14;

THENCE SOUTH 00 DEGREES 21 MINUTES 42 SECONDS EAST, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 456.50 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF NORTH VALLEY PARKWAY, BEING A POINT ON A NON-TANGENT CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 1502.39 FEET, THE CENTER OF WHICH BEARS NORTH 72 DEGREES 04 MINUTES 45 SECONDS EAST SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING;

THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID RIGHT OF WAY LINE THROUGH A CENTRAL ANGLE OF 00 DEGREES 15 MINUTES 52 SECONDS AN ARC LENGTH OF 6.93 FEET;

THENCE LEAVING SAID RIGHT OF WAY SOUTH 67 DEGREES 24 MINUTES 32 SECONDS WEST, A DISTANCE OF 75.74 FEET;

THENCE SOUTH 89 DEGREES 38 MINUTES 10 SECONDS WEST, A DISTANCE OF 58.80 FEET;

THENCE SOUTH 00 DEGREES 21 MINUTES 44 SECONDS EAST, A DISTANCE OF 218.67 FEET TO A POINT ON THE PROPOSED NORTH RIGHT OF WAY LINE OF COMMITMENT WAY, SAID POINT ALSO BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 470.00, THE CENTER OF WHICH BEARS NORTH 00 DEGREES, 00 MINUTES 03 SECONDS WEST;

THENCE NORTHEASTERLY ALONG SAID CURVE AND SAID RIGHT OF WAY LINE THROUGH A CENTRAL ANGLE OF 23 DEGREES 14 MINUTES 23 SECONDS AN ARC LENGTH OF 190.64 FEET;

THENCE NORTH 13 DEGREES 25 MINUTES 50 SECONDS EAST, A DISTANCE OF 37.75 FEET TO A POINT ON SAID WESTERLY RIGHT OF WAY LINE OF NORTH VALLEY PARKWAY TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE

TO THE NORTHEAST HAVING A RADIUS OF 1502.39 FEET, THE CENTER OF WHICH BEARS NORTH 65 DEGREES 18 MINUTES 29 SECONDS EAST;

THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID RIGHT OF WAY LINE THROUGH A CENTRAL ANGLE OF 06 DEGREES 46 MINUTES 16 SECONDS AN ARC LENGTH OF 177.55 FEET TO THE TRUE POINT OF BEGINNING.

COMPRISING 36,557.01 SF OR 0.8392 AC, MORE OR LESS.

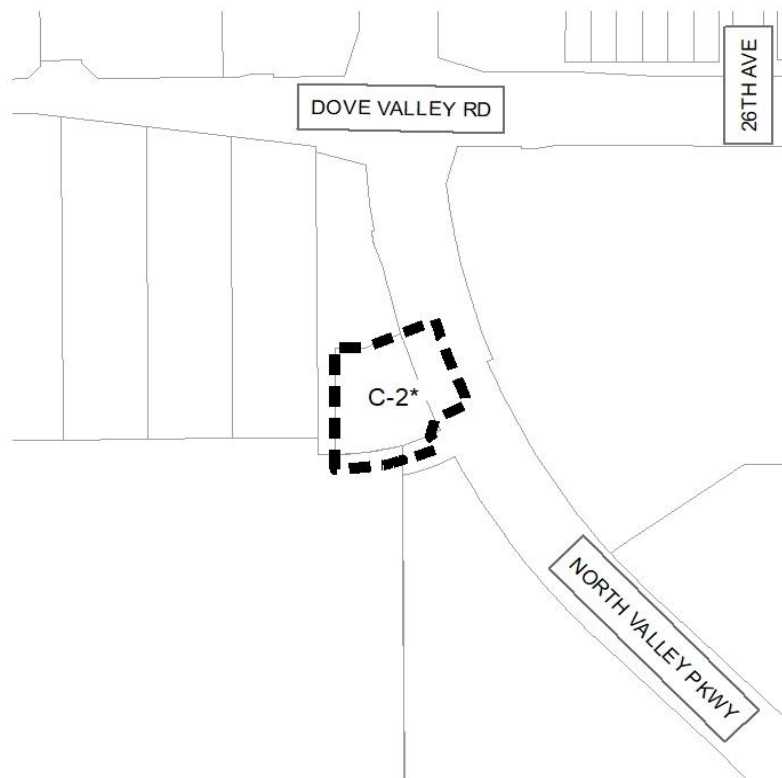
DRAFT

ORDINANCE LOCATION MAP

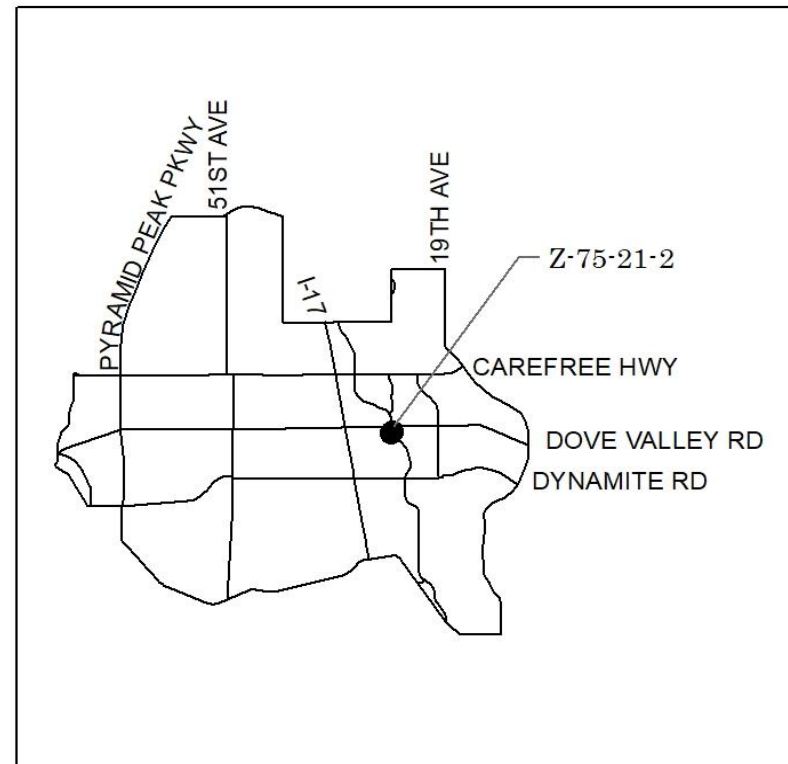
EXHIBIT B

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

Zoning Case Number: Z-75-21-2
Zoning Overlay: North Black Canyon Corridor Plan
and Overlay District (NBCOD)
Planning Village: North Gateway



0 155 310 620 Feet



NOT TO SCALE



Drawn Date: 3/2/2022