

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 (Z-36-17-7) FROM S-1 (RANCH OR FARM RESIDENCE DISTRICT), R1-8 (SINGLE-FAMILY RESIDENCE DISTRICT), AND C-3 (GENERAL COMMERCIAL DISTRICT) TO CP/GCP (COMMERCE PARK/GENERAL COMMERCE PARK DISTRICT).

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

SECTION 1. The zoning of an approximately 20.13-acre property located at the southwest corner of 103rd Avenue and Buckeye Road in a portion of Section 17, Township 1 North, Range 1 East, as described more specifically in Exhibit "A", is hereby changed from "S-1" (Ranch or Farm Residence District), "R1-8" (Single-Family Residence District), and "C-3" (General Commercial District), to "CP/GCP" (Commerce Park/General Commerce Park 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 developer shall provide a minimum 50-foot building setback along the northern and southern boundaries of the site, as approved by the Planning and Development Department.
2. The developer shall provide a minimum 30-foot landscape setback along both 103rd Avenue and Buckeye Road. In addition, the developer shall provide and maintain 26-feet of landscaping in the Buckeye Road right-of-way. The streetscape landscaping shall be installed and maintained in accordance with the C-2 zoning district standards for planting type, size, and quantity, as approved by the Planning and Development Department.
3. The developer shall provide a minimum 20-foot landscape setback along the southern and western boundaries of the site, as approved by the Planning and Development Department.
4. The development shall comply with the Estrella Village Arterial Street Landscaping Program, as approved by the Planning and Development Department.
5. Building elevations shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, variation in window size and location, and/or other overhang canopies, as approved by the Planning and Development Department.
6. Building height shall be limited to a maximum of 40 feet within 100 feet of the southern boundary of the site, as approved by the Planning and Development Department.
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. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidentals as per plans approved by the City. All improvements shall comply with all ADA accessibility standards.
9. The site plan and elevations shall be reviewed and approved by the Planning Hearing Officer prior to preliminary site plan approval.

10. 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 4th day of October, 2017.

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-36-17-7

The land referred to herein below is situated in the County of Maricopa, State of Arizona and is described as follows:

The East half of the Northwest quarter of Section 17, Township 1 North, Range 1 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona

Except any of the property conveyed to the United States of America in Book 187 of Deeds, Page 374 and more particularly described as follows:

That certain ditch as now located and constructed within the West half of Section 17 Township 1 North, Range 1 East of the Gila and Salt River Base and Meridian, together with sufficient land on each side of said ditch to permit the economical operation and maintenance thereof, said ditch extending from the 16/13 corner to the 16/12 corner of Section 17, along and immediately North of the East and West mid-section line, thence South to the 16/0 corner, along and immediately West of the North and South center line of the West half of said Section 17 and

Except that portion lying Southerly of the North line of Caballo Crossing Phase 1, according to Book 1193 of Maps, Page 23, Records of Maricopa County, Arizona and

Except the East 33 feet of the South 663.47 feet of the North 696.47 feet of said East half, as conveyed to the City of Phoenix, an Arizona Municipal Corporation in warranty deeds recorded November 26, 2014 in Document No 2014-784280, Document No 2014-784281 and Document No 2014-784519, records of Maricopa County, Arizona

ORDINANCE LOCATION MAP

EXHIBIT B

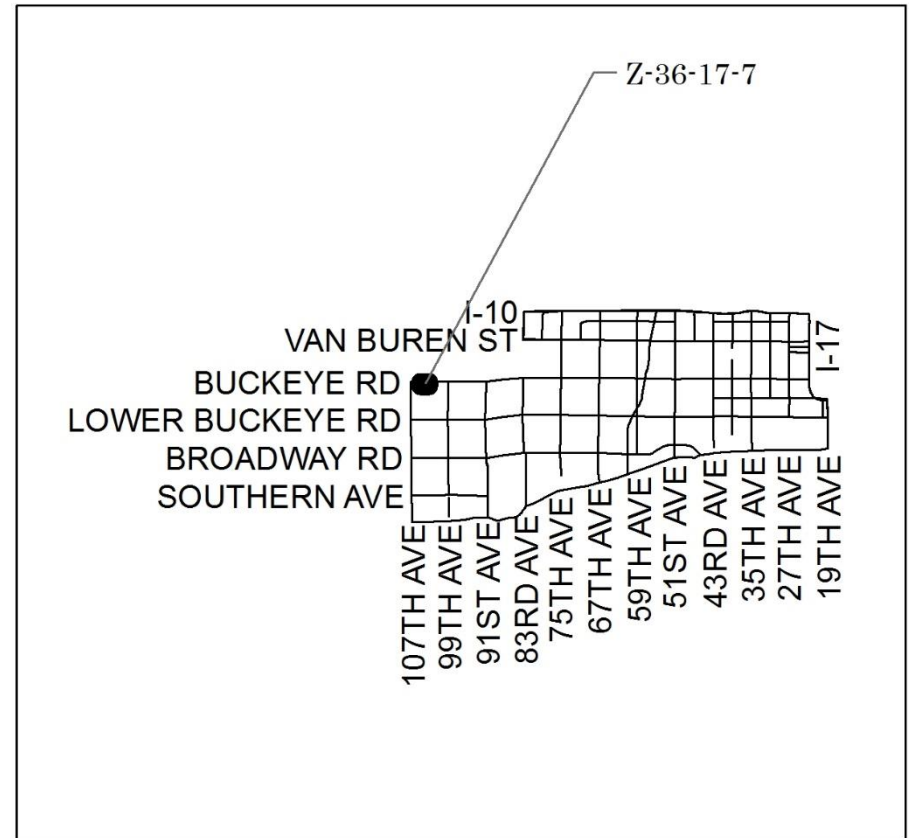
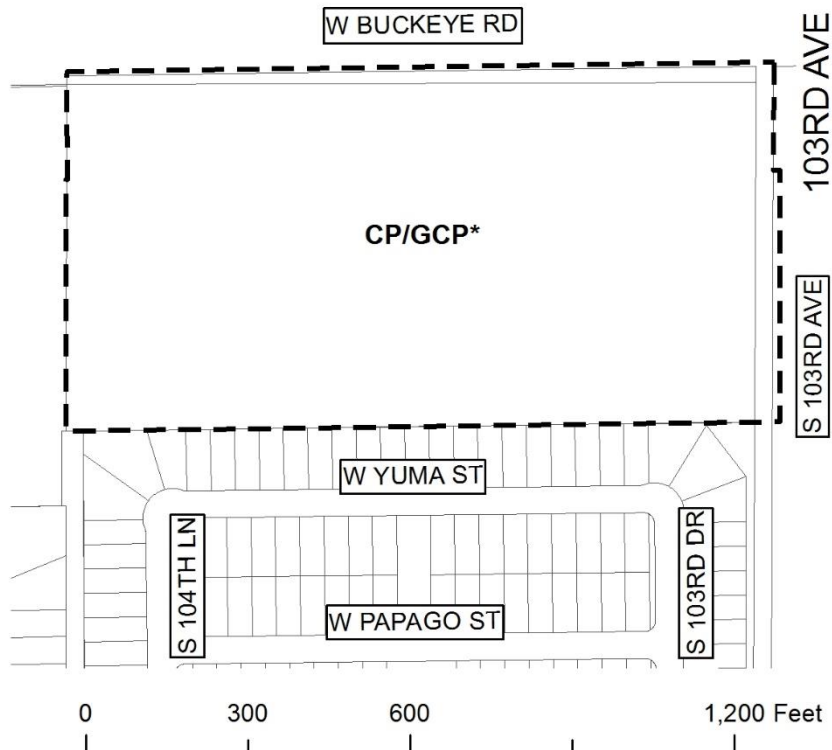
ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: ■ ■ ■ ■ ■

Zoning Case Number: Z-36-17-7

Zoning Overlay: N/A

Planning Village: Estrella



Drawn Date: 9/8/2017