

## 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-8-24-7) FROM RE-35 (SINGLE-FAMILY RESIDENCE DISTRICT) AND R1-8 (SINGLE-FAMILY RESIDENCE DISTRICT) TO CP/GCP (COMMERCE PARK DISTRICT/GENERAL COMMERCE PARK OPTION).

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

SECTION 1. The zoning of a 112.32-acre site located approximately 1,170 feet north of the northwest corner of 67th Avenue and Lower Buckeye Road in a portion of Section 13, Township 1 North, Range 1 East, as described more specifically in Exhibit "A," is hereby changed from 111.30 acres of "RE-35" (Single-Family Residence District) and 1.02 acres of "R1-8" (Single-Family Residence District) to "CP/GCP" (Commerce Park District/General Commerce Park Option).

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 January 8, 2024, as modified by the following stipulations and approved by the Planning and Development Department.
2. One outdoor employee resting area of no less than 400 square feet or two 200-square foot areas shall be provided on site. Each required pedestrian area shall include a minimum of two pedestrian seating benches, constructed of quality and durable materials, and shaded to a minimum of 75% using minimum 2-inch caliper, large canopy, drought-tolerant, shade trees, and/or architectural shade, as approved by the Planning and Development Department.
3. 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.
4. Bicycle parking spaces shall be provided per the requirements of Section 1307.H of the Phoenix Zoning Ordinance through inverted U and/or artistic racks located near the office and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
5. A minimum 100-foot landscape setback shall be provided along the south perimeter of the site.
6. Landscape areas and surface retention areas shall be planted with minimum 2-inch caliper, large canopy, drought-tolerant, shade trees planted 25 feet on center or in equivalent groupings, as approved by the Planning and Development Department.
7. A minimum of 10% of the required shrubs, shall be a milkweed or other native nectar species, and shall be planted in groups of three or more, as approved by the Planning and Development Department.
8. A minimum of 25% of the surface parking areas shall be shaded, as approved by the Planning and Development Department. Shade may be achieved by

structures or by minimum 2-inch caliper, drought tolerant, shade trees, or a combination thereof.

9. Only landscape materials listed in the Phoenix Active Management Area Low-Water-Use/Drought-Tolerant Plant List shall be utilized internal to the site, as approved or modified by the Planning and Development Department
10. Landscaping shall be maintained by permanent and automatic/water efficient WaterSense labeled irrigation controllers (or similar smart controller) to minimize maintenance and irrigation water consumption for all on and offsite landscape irrigation.
11. Prior to final site plan approval, documentation shall be provided that demonstrates a commitment to participate in the City of Phoenix Business Water Efficiency Program for a minimum of 10 years, or as approved by the Planning and Development Department.
12. A minimum of two green infrastructure (GI) techniques for stormwater management shall be implemented per the Greater Phoenix Metro Green Infrastructure and Low-Impact Development Details for Alternative Stormwater Management, as approved or modified by the Planning and Development Department.
13. The development shall conform with the Estrella Village Arterial Street Landscaping Program landscape palette and landscaping standards along arterial streets in the Estrella Village, except as otherwise noted herein, as approved by the Planning and Development Department.
14. A minimum of 10% of the required parking spaces shall be EV Installed.
15. A bus stop pad shall be constructed on southbound 67th Avenue, located from Durango Street according to City of Phoenix Standard Detail P1258. The bus stop pad shall be designed according to City of Phoenix Standard Detail P1260 with a depth of 10 feet, as approved by the Planning and Development Department.
16. A minimum 55-feet of right-of-way shall be dedicated for the west half of 67th Avenue, adjacent to the development.
17. Improvements to 67th Avenue shall be consistent with the Arterial CM cross-section, consisting of a 14-foot raised center median and a minimum 6-foot-wide detached sidewalk separated by a minimum 10-foot-wide landscape area, adjacent to the development. The landscape strip shall be planted with minimum 2-inch caliper, single trunk, drought-tolerant, shade trees to provide a minimum of 75% shade, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the

Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

18. A minimum 60-feet of right-of-way shall be dedicated for the full width of Durango Street, adjacent to the development. The right-of-way shall align with the existing Durango Street connections on the eastern and western boundaries of the site.
19. A minimum 5-foot-wide detached sidewalk separated by a minimum 5-foot-wide landscape area shall be constructed on both sides of Durango Street, adjacent to the development. The landscape strip shall be planted with minimum 2-inch caliper, single trunk, drought-tolerant, shade trees to provide a minimum of 75% shade, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.
20. A minimum 30-feet of right-of-way shall be dedicated for the east half of 71st Avenue, adjacent to the development.
21. A minimum 1-foot Vehicular Non-Access Easement shall be dedicated along the western property line (adjacent to 71st Avenue), south of the existing Durango Street alignment.
22. A minimum 5-foot-wide detached sidewalk separated by a minimum 5-foot-wide landscape area shall be constructed on the east side of 71st Avenue, adjacent to the development. The landscape strip shall be planted with minimum 2-inch caliper, single trunk, drought-tolerant, shade trees to provide a minimum of 75% shade, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.
23. A traffic signal shall be installed at 67th Avenue and Durango Street. The developer shall fund 100% of the cost and install the traffic signal at the intersection, as approved by the Street Transportation Department.
24. All existing electrical utilities within the public right-of-way shall be undergrounded, adjacent to the development. The developer shall coordinate with the affected utility companies for their review and permitting.
25. Existing SRP facilities along all public streets are to be relocated outside of city right-of-way, unless otherwise approved by the Street Transportation Department. Contact SRP to identify existing land rights and establish the appropriate process to relocate the facility.

26. Replace unused driveways with sidewalk and curb and gutter. Also, replace any broken or out-of-grade curb, gutter, sidewalk, curb ramps on all streets and upgrade all off-site improvements to be in compliance with current ADA guidelines.
27. 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.
28. 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.
29. Prior to final 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 3rd day of April, 2024.

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MAYOR

ATTEST:

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Denise Archibald, City Clerk

APPROVED AS TO FORM:

Julie M. Kriegh, City Attorney

By:

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REVIEWED BY:

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Jeffrey Barton, City Manager

Exhibits:

A – Legal Description (1 Page)

B – Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-8-24-7

A portion of the East half of Section 13, Township 1 North, Range 1 East of the Gila and Salt River Meridian, Maricopa County, Arizona, being more particularly described as follows:

BEGINNING at the East quarter corner of said Section 13, marked by a found 3-inch City of Phoenix brass cap in hand hole, down 0.5 feet, from which the Northeast corner, marked by a found 3 inch City of Phoenix brass cap in hand hole, down 0.5 feet, thereof bears North 01°05'37" East, 2622.54 feet;

THENCE South 01°05'06" West, 1400.65 feet on the easterly boundary of the Southeast quarter of said Section 13;

THENCE leaving said easterly line, North 88°55'11" West, 1766.47 feet to the easterly boundary of the Special Warranty Deed, recorded date June 13th, 2002 and filed in Document No. 2002-0605378, Records of Maricopa County, Arizona;

THENCE on said easterly boundary, North 00°50'36" East, 546.08 feet to the northeast corner thereof;

THENCE North 89°00'36" West, 856.70 feet on the northerly boundary of said Special Warranty Deed extended westerly to the westerly boundary of said East half;

THENCE on said westerly boundary, North 00°50'41" East, 1491.37 feet;

THENCE leaving said westerly boundary, South 89°21'32" East, 2631.91 feet to the easterly boundary of the Northeast quarter of said Section 13;

THENCE on said easterly boundary, South 01°05'37" West, 655.59 feet to the point of BEGINNING.

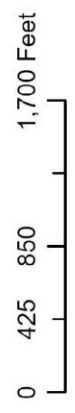
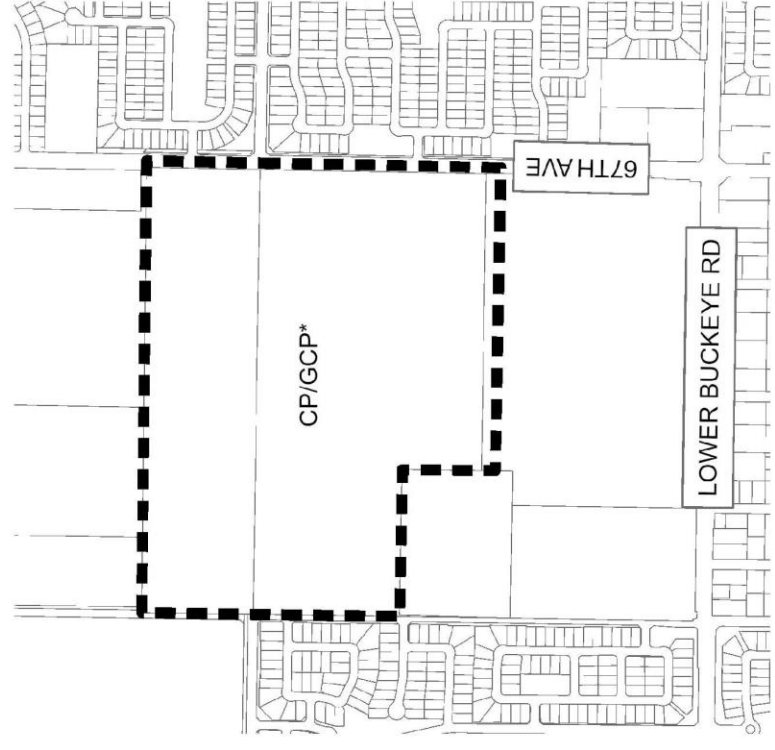
The above described parcel contains a computed area of 4,909,030 sq. ft. (112.70 acres) more or less.

Being subject to any easements, restrictions, rights-of-way of record or otherwise.

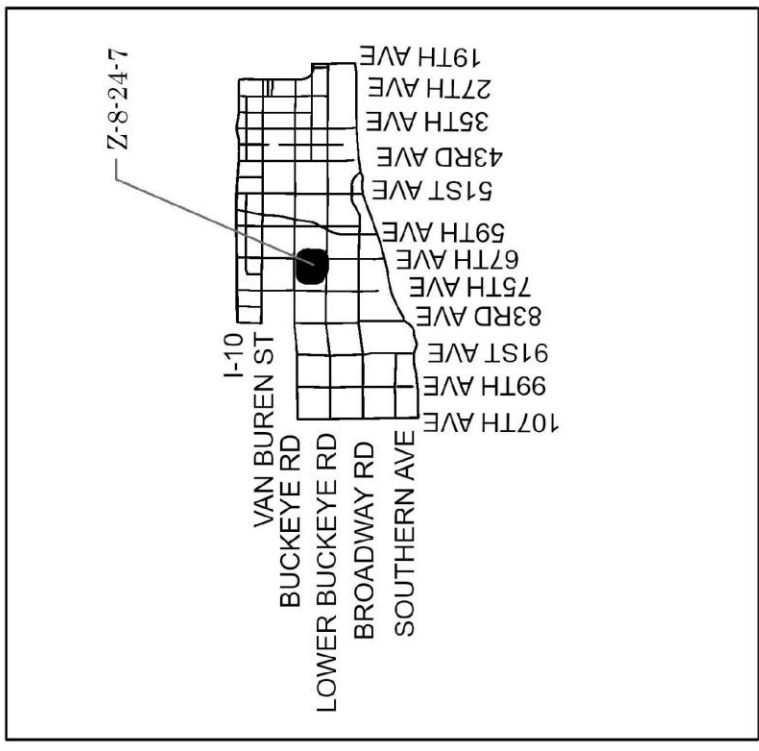
# ORDINANCE LOCATION MAP

Zoning Case Number: Z-8-24-7  
Zoning Overlay: N/A  
Planning Village: Estrella

ZONING SUBJECT TO STIPULATIONS: \*  
SUBJECT AREA: - - - - -



NOT TO SCALE



Drawn Date: 3/4/2024