

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-SP-8-18-8) FROM C-2 (INTERMEDIATE COMMERCIAL) TO C-2 SP (INTERMEDIATE COMMERCIAL, SPECIAL PERMIT).

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

SECTION 1. The zoning of a 1.67-acre property located approximately 135 feet west of the northwest corner of 17th Street and Portland Street in a portion of Section 3, Township 1 North, Range 3 East, as described more specifically in Exhibit "A", is hereby changed from "C-2" (Intermediate Commercial) to "C-2 SP" (Intermediate Commercial, Special Permit) to allow a self-service storage facility and all underlying C-2 uses.

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 utilize architectural features and materials compatible with the self-storage development to the west, as approved by the Planning and Development Department.
2. Required trees in the 17th Street and Portland Street landscape setbacks shall include minimum 3-inch caliper trees placed 20 feet on center, or in equivalent groupings, and shall be placed adjacent to the sidewalk in order to provide thermal comfort for pedestrians, as approved by the Planning and Development Department.
3. Access to 17th Street shall be restricted to emergency access only, as approved by the Planning and Development Department.
4. The developer shall record a Notice to Perspective Purchasers of Proximity to Airport in order to disclose the existence and operational characteristics of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property.
5. 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.
6. 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.
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. 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 1st day of May, 2019.

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-SP-8-18-8

ASSESSOR'S TAX PARCEL NUMBER 116-15-096B

**POR OF LOT 1 OF NEW HOPE COMMUNITY CENTER MCR 712-13 FDA COM INTER
16TH ST AND PORTLAND ST TH N 00D 18M 48S W 353.23F TH S 89D 41M 51S E
337.41F TH S 89D 25M 37S E 78.28F TO POB TH S 89D 25M 37S E 225.45F TH S 00D
20M 44S E 216.51F TH N89D 20M 25S W 139.97F TH S 00D 21M 26S E 112.87F TH
N89D 34M 21S W 85.69F TH N 00D 18M 48S W 329.69F TPOB**

**ABBREVIATED LEGAL
PARCEL 2 OF LOT SPLIT RECORDED AT 20150837394:**

**LOT SPLIT FOR
LOT 1, NEW HOPE COMMUNITY CENTER**

***OF LOT 1, NEW HOPE COMMUNITY CENTER, ACCORDING TO BOOK 712 OF MAPS,
PAGE 13 AND AFFIDAVIT OF CORRECTION RECORDED IN RECORDS OF MARICOPA
COUNTY, ARIZONA LOCATED IN THE NORTHWEST QUARTER OF SECTION 3,
TOWNSHIP 1 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE
AND MERIDIAN, MARICOPA COUNTY, ARIZONA***

ORDINANCE LOCATION MAP

EXHIBIT B

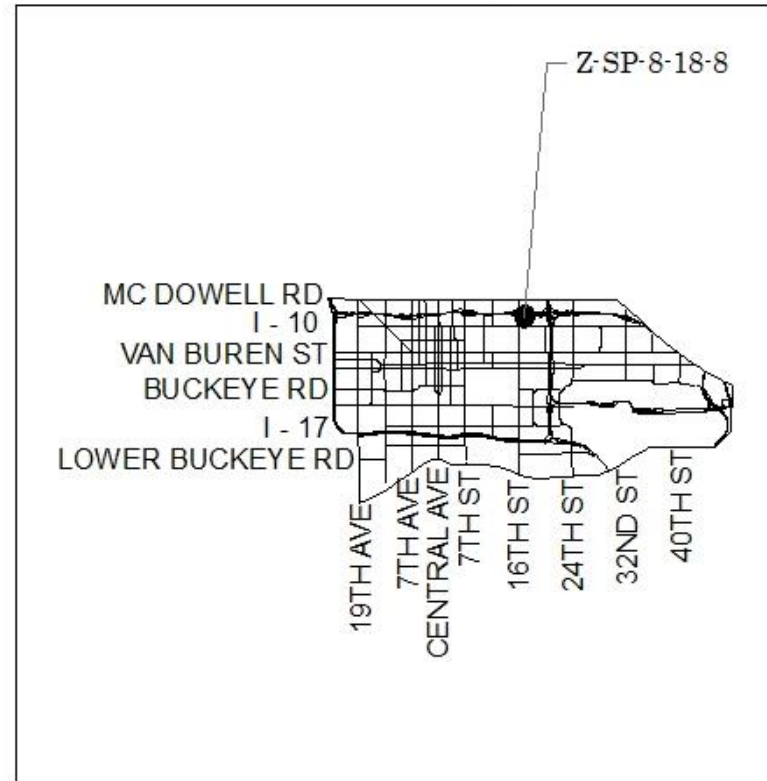
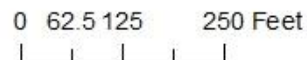
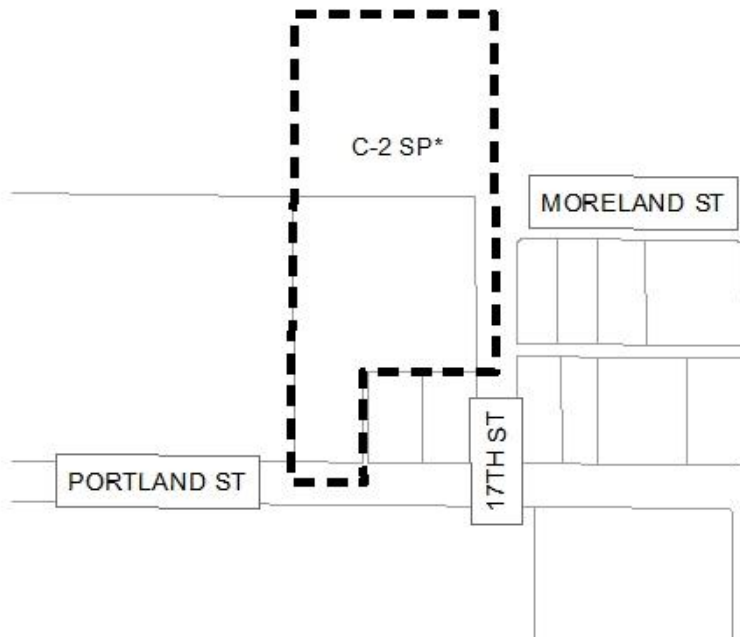
ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: - - - - -

Zoning Case Number: Z SP 8 18 8

Zoning Overlay: N/A

Planning Village: Central City



NOT TO SCALE



Drawn Date: 4/5/2019