

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-1-19-8) FROM R1-6 (SINGLE-FAMILY RESIDENCE 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 a 3.57-acre property located at the southwest corner of 32nd Street and Roeser Road in a portion of Section 26, Township 1 North, Range 3 East, as described more specifically in Exhibit "A", is hereby changed from "R1-6" (Single-Family Residence 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 300-square-foot enhanced landscape feature at the northeast corner of the site, as approved by the Planning and Development Department.
2. Required trees in the 32nd Street and Roeser Road landscape setbacks shall include minimum 2-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. The developer shall dedicate a 30-foot wide multi-use trail easement (MUTE) along the west side of 32nd Street and construct a minimum 10-foot wide multi-use trail (MUT) within the easement, in accordance with the MAG supplemental detail and as approved by the Parks and Recreation and Planning and Development Departments.
4. The developer shall provide a bus shelter at the existing bus stop pad along southbound 32nd Street and Roeser Road. The bus stop pad shall be compliant with the City of Phoenix Standard Detail P1260 with a minimum depth of 10 feet and shall be spaced from the intersection of 32nd Street and Roeser according to the City of Phoenix Standard Detail 1258, as approved by the Public Transit Department and Planning and Development Department.
5. 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.
6. The developer shall record a Notice to Prospective 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.
7. If determined necessary by the City of 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.
8. The applicant shall conduct Phase II archaeological data recovery excavations 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.

9. 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.
10. A minimum 100-foot building setback shall be provided along Roeser Road.
11. The development shall be in general conformance to the rendering as submitted on January 4, 2019.

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)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-1-19-8

A.L.T.A / N.S.P.S. LAND TITLE SURVEY

A PORTION OF THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 1 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA

PARCEL DESCRIPTION

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

The North 391.2 feet of the North half of Tract 1, of Berrmore Acres, according to Book 29 of Maps, page 5, records of Maricopa County. Arizona;

EXCEPT that portion conveyed to the City of Phoenix in Document No. 87-023271, and Document No. 87-023272, records of Maricopa County. Arizona, described as follows:

BEGINNING to the Northeast corner of said Tract 1;

THENCE Southerly along the East line thereof, a distance of 28. 00 feet;

THENCE Westerly and perpendicular to said East line to the West line of the East 7. 00 feet of said Tract 1;

THENCE Northerly along said West line, to a point which is 21. 00 feet Southerly of the North line of said Tract;

THENCE Northwesterly to a point in said North line which is 28. 00 feet Westerly of the POINT OF BEGINNING;

THENCE Easterly along said North line, to the POINT OF BEGINNING; and

EXCEPT the following PARCEL A, as conveyed to the City of Phoenix in Document No. 2014-0853341:

PARCEL A:

That part of the East 7. 00 feet of the North 391.20 feet of the North half of Tract 1, Berrmore Acres, according to the plat of record in the office of the County Recorder of Maricopa County. Arizona, in Book 29 of Maps at page 5, Maricopa County. Arizona;

TOGETHER WITH that part of said Tract 1;

BEGINNING at the intersection of the West line of the East 7.00 feet and the North line of said Tract 1;

THENCE Westerly along said North line, a distance of 27.00 feet;

THENCE Southeasterly to a point in said West line which is 28.00 feet Southerly of the POINT OF BEGINNING;

THENCE Northerly to the POINT OF BEGINNING;

EXCEPT that part of said Tract 1;

BEGINNING at the Northeast corner of said Tract 1;

THENCE Southerly along the East line thereof, a distance of 28. 00 feet;

THENCE Westerly and perpendicular to said East line to the West line of the East 7. 00 feet of said Tract 1;

THENCE Northerly along said West line to a point which is 21.00 feet Southerly of the North line of said Tract 1;

THENCE Northwesterly to a point in said North line which is 28. 00 feet Westerly of the POINT OF BEGINNING;

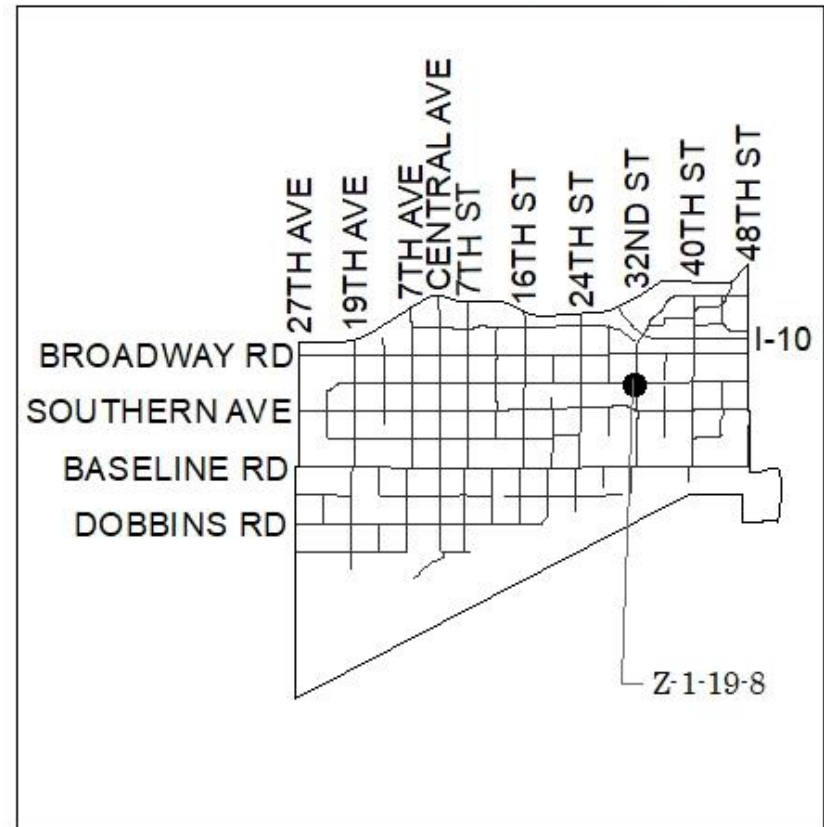
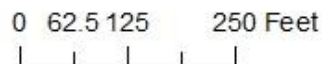
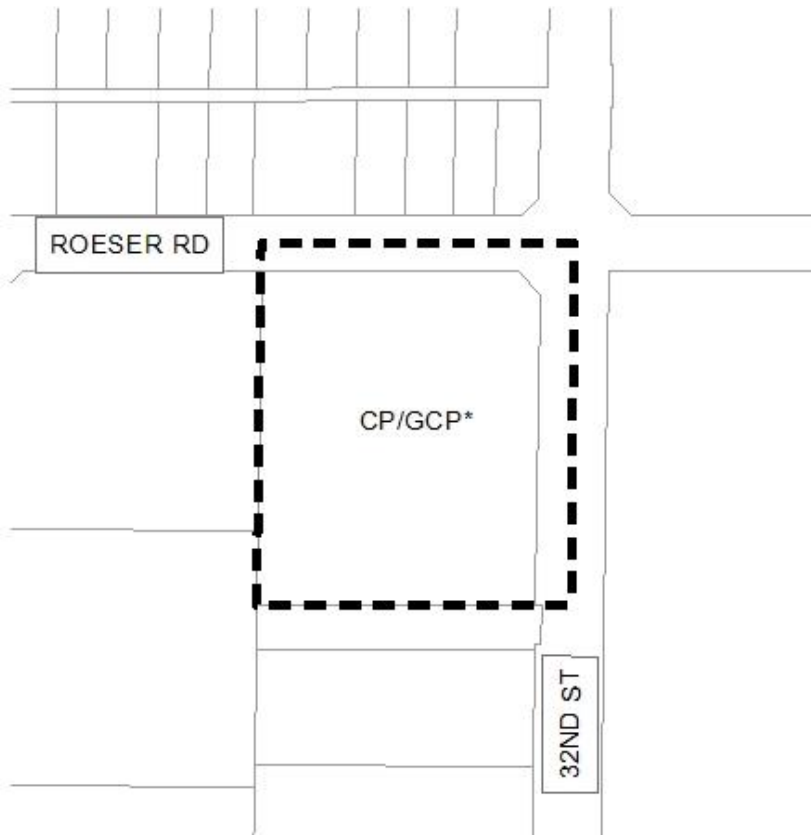
THENCE Easterly along said North line to the POINT OF BEGINNING.

ORDINANCE LOCATION MAP

EXHIBIT B

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

Zoning Case Number: Z 1 19 8
Zoning Overlay: N/A
Planning Village: South Mountain



NOT TO SCALE



Drawn Date: 4/5/2019