

ATTACHMENT A

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ADOPTED ORDINANCE**

ORDINANCE G-

AN ORDINANCE AMENDING THE STIPULATIONS APPLICABLE TO
REZONING APPLICATION Z-118-14-4 PREVIOUSLY APPROVED BY
ORDINANCE G-6449.

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

SECTION 1. The zoning stipulations applicable located approximately 420
feet north of the northeast corner of 7th Street and Indian School Road in a portion of
Section 21, Township 2 North, Range 3 East, as described more specifically in
Attachment "A", are hereby modified to read as set forth below.

STIPULATIONS:

1. The SELF-SERVICE STORAGE WAREHOUSE development shall be in general
conformance to the site plan date stamped October 27, 2014 ~~and January 10,
2018~~ and elevations date stamped October 27, 2014, AND January 13, 2015, ~~and
February 2, 2018~~ with specific regard to:
 - A. EXCEPT FOR INGRESS/EGRESS POINTS, NO
PARKING/MANEUVERING SHALL BE ALLOWED BETWEEN THE
BUILDINGS AND THE 7TH STREET FRONTAGE.
 - B. The sidewalk along 7th Street shall be detached from the curb;
~~a.~~
 - C. Maximum east elevation building height of 39 feet.
~~b.~~
2. THE RESTAURANT DEVELOPMENT SHALL BE IN GENERAL
CONFORMANCE TO THE SITE PLAN AND ELEVATIONS DATE STAMPED

NOVEMBER 1, 2019, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT, WITH SPECIFIC REGARD TO:

- A. THE SIDEWALK ALONG 7TH STREET SHALL BE DETACHED FROM THE CURB.
 - B. REQUIRED LANDSCAPE SETBACKS SHALL INCLUDE MULTI-TRUNK OR LARGE CANOPY SHADE TREES PLANTED 20 FEET ON CENTER OR IN EQUIVALENT GROUPINGS AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT. TWENTY-FIVE PERCENT OF TREES SHALL BE MINIMUM 2-INCH CALIPER, FIFTY PERCENT OF TREES SHALL BE MINIMUM 3-INCH CALIPER, AND TWENTY-FIVE PERCENT OF THE TREES SHALL BE MINIMUM 4-INCH CALIPER. FIVE 5-GALLON SHRUBS PER TREE, AND ADDITIONAL SHRUBS OR LIVE GROUNDCOVER, SHALL PROVIDE MINIMUM 75% LIVE COVER AT MATURE SIZE, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
 - C. A MINIMUM OF 15% OF THE PARKING LOT INTERIOR SURFACE AREA SHALL BE LANDSCAPED, EXCLUSIVE OF PERIMETER LANDSCAPING AND ALL SETBACKS. REQUIRED TREES SHALL CONSIST OF MINIMUM 2-INCH CALIPER, MULTI-TRUNK OR LARGE CANOPY SHADE TREES, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
 - D. LANDSCAPED PLANTERS IN THE PARKING LOT AREA NORTH OF THE RESTAURANT BUILDING SHALL BE PROVIDED AT THE ENDS OF EACH ROW OF PARKING AND SPACED APPROXIMATELY 76 FEET OR LESS.
 - E. THE DEVELOPMENT TO DEDICATE AND CONSTRUCT A RIGHT-TURN DECELERATION LANE FOR THE DRIVEWAY ALONG 7TH STREET OR AS MODIFIED BY THE STREET TRANSPORTATION DEPARTMENT. THE LENGTH OF THE DECELERATION LANE SHALL BE DETERMINED AND APPROVED BY THE STREET TRANSPORTATION DEPARTMENT.
 - F. THE DEVELOPER SHALL CONSTRUCT OR RECONSTRUCT ANY NEW OR EXISTING DRIVEWAY ACCESS FROM 7TH STREET IN A MANNER TO PROHIBIT LEFT TURN INGRESS AND EGRESS MOVEMENTS TO THE SITE WITHIN 300 FEET OF THE CENTERLINE OF DEVONSHIRE AVE. SUCH DRIVEWAYS SHALL CONFORM TO CITY OF PHOENIX STANDARD DETAILS P1243-2 OR P1243-3, OR AS APPROVED BY THE STREET TRANSPORTATION DEPARTMENT.
2. Required trees in the 7th Street and Devonshire Avenue landscape setbacks shall be placed adjacent to the sidewalk in order to provide shade for pedestrians, as approved by the Planning and Development Department.
 3. ~~That~~ THE development shall provide bicycle parking with an inverted-U design, as

approved by the Planning and Development Department, as follows:

- a. A minimum of two spaces to serve the self-storage facility;
 - b. A minimum of one space per 500 square feet for general retail;
 - c. A minimum of one space per 300 square feet for a restaurant/bar.
4. A 10-foot sidewalk easement shall be dedicated on the 7th Street frontage, as approved by the Planning and Development Department.
 5. ~~That~~ The development shall comply with all ADA accessibility standards, as per plans approved by the Planning and Development Department.
 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. 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 2. Due to the site's specific physical conditions and the use district granted pursuant to Ordinance G-6449, this portion of the rezoning is now subject to the stipulations approved pursuant to Ordinance G-6449 and as modified in Section 1 of this Ordinance. Any violation of the stipulation is a violation of the City of Phoenix Zoning Ordinance. Building permits shall not be issued for the subject site until all the stipulations have been met.

SECTION 3. 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 29th day of January, 2020.

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 PHO-2-19--Z-118-14-4

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MARICOPA, STATE OF ARIZONA, IS A PORTION OF THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 2 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN AND IS DESCRIBED AS FOLLOWS:

PARCEL NO. 1 (APN 155-17-001)

The West 50 feet of the East 105 feet of Lot 1, Block 1, CHESTERFIELD PLACE, according to Book 6 of Maps, Page 7, records of Maricopa County, Arizona.

PARCEL NO. 2: (APN 155-17-005 & APN 155-17-006)

Lots 2 and 3, Block 1, CHESTERFIELD PLACE, according to Book 6 of Maps, Page 7, records of Maricopa County, Arizona;

EXCEPT The West 7 feet of Lots 2 and 3.

PARCEL NO. 3: (APN 155-17-007)

Lot 4, Block 1, CHESTERFIELD PLACE, according to Book 6 of Maps, Page 7, records of Maricopa County, Arizona.

PARCEL NO. 4: (APN 155-17-008)

Lot 5, Block 1, CHESTERFIELD PLACE, according to Book 6 of Maps, Page 7, records of Maricopa County, Arizona.

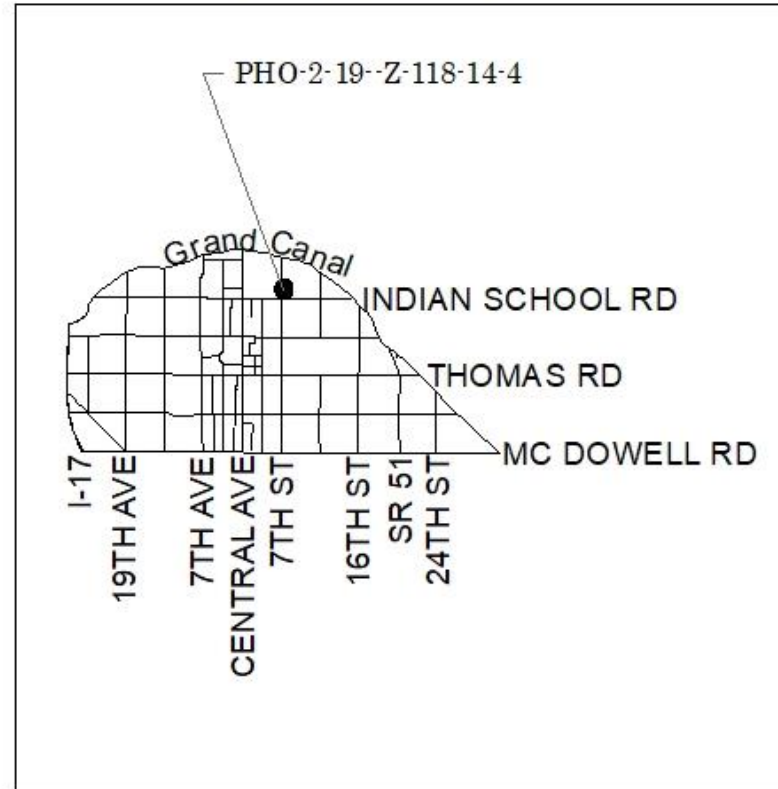
EXCEPT The East 5 feet for ditch as set forth on Deed recorded in Book 187 of Deeds, Page 447.

ORDINANCE LOCATION MAP

EXHIBIT B

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

Zoning Case Number: PHO-2-19-Z-118-14-4
Zoning Overlay: N/A
Planning Village: Encanto



NOT TO SCALE



Drawn Date: 12/23/2019