

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-SP-3-22-8) FROM C-1 (PENDING C-2) (NEIGHBORHOOD RETAIL, PENDING 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 3.60-acre site located approximately 420 feet north of the northeast corner of 59th Avenue and Elliot Road in a portion of Section 8, Township 1 South, Range 2 East, as described more specifically in Exhibit "A," is hereby changed from "C-1 (Pending C-2)" (Neighborhood Retail, Pending Intermediate Commercial) to "C-2 SP" (Intermediate Commercial, Special Permit) to allow a self-service storage warehouse and 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 be in general conformance with the site plan and elevations date stamped June 30, 2022, as modified by the following stipulations and approved by the Planning and Development Department.
2. Buildings adjacent to a residential zoning district shall have exterior roll up doors oriented away from residential development, as approved by the Planning and Development Department.
3. A minimum 25-foot landscape setback shall be provided along 59th Avenue, as approved by the Planning and Development Department.
4. A minimum 10-foot landscape setback shall be provided along the north and east sides of the site and shall be planted with a minimum 3-inch caliper trees placed 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.
5. All uncovered surface parking lot areas for employees and customers shall be landscaped with minimum 2-inch caliper size large canopy drought tolerant shade trees. Landscaping shall be dispersed throughout the parking area and achieve minimum 25% shade at maturity, as approved by the Planning and Development Department.
6. A minimum of 4 bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near building entrances and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
7. A pedestrian connection shall be provided between the site and the adjacent multifamily development to the east, as approved by the Planning and Development Department.
8. A shared-use path shall be provided along the east side of 59th Avenue in accordance with the city of Phoenix standard trail detail, as approved by the Parks and Recreation and Planning and Development Departments.
9. The developer shall construct a minimum 5-foot-wide detached sidewalk along

59th Avenue with a minimum 8-foot-wide landscaped strip located between the sidewalk and back of curb and planted to the following standards, as approved by the Planning and Development Department:

- a. Minimum 3-inch caliper shade trees placed a minimum of 20 feet on center or in equivalent groupings, to provide a minimum of 50% shade at maturity.
 - b. Drought tolerant shrubs and vegetative groundcovers with a maximum mature height of 24 inches to provide a minimum of 75% live coverage at maturity.
 - c. Where utility conflicts arise, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.
10. The developer shall dedicate a minimum of 55-feet for the east half of 59th Avenue, as approved by the Planning and Development Department.
 11. 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.
 12. 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.
 13. Prior to preliminary 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 7th day of September, 2022.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Cris Meyer, City Attorney

By:

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:
A – Legal Description (1 Page)
B – Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR Z-SP-3-22-8

A Storage Facility site in a portion of a parcel of land as described per document 2008-0717150 Maricopa County Recorders (MCR), located in the Southwest Quarter of Section 8, Township 1 South, Range 2 East of the Gila and Salt River Meridian, Maricopa County, Arizona, and being more particularly described as follows:

COMMENCING at a brass cap in handhole at the Southwest corner of said Section 8, from which a brass cap in handhole at the West quarter-corner of Section 8 bears North 00 degrees 14 minutes 04 seconds East, 2641.07 feet; Thence along the West line of the Southwest quarter of said section 8, North 00 degrees 14 minutes 04 seconds East, 455.12 feet; Thence departing said West line, South 89 Degrees 45 Minutes 56 Seconds East, 33.00 feet to the POINT OF BEGINNING;

Thence along a line parallel with and 33.00 feet East of said West line, North 00 Degrees 14 Minutes 04 Seconds East, 325.09 Feet; Thence South 89 Degrees 57 Minutes 32 Seconds East, 372.00 Feet; Thence South 00 Degrees 14 Minutes 04 Seconds West, 527.01 Feet; Thence North 89 Degrees 58 Minutes 16 Seconds West, 127.00 Feet; Thence North 00 Degrees 14 Minutes 04 Seconds East, 201.91 Feet; Thence North 89 Degrees 57 Minutes 00 Seconds West, 245.00 Feet to the POINT OF BEGINNING.

Said portion of land containing 146,582 square feet, or 3.3651 acres, more or less.

ORDINANCE LOCATION MAP

EXHIBIT B

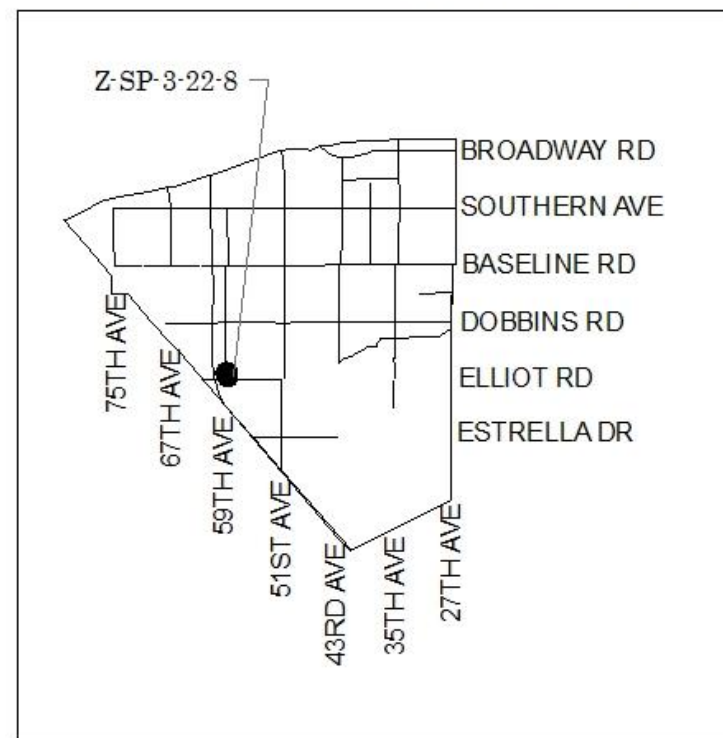
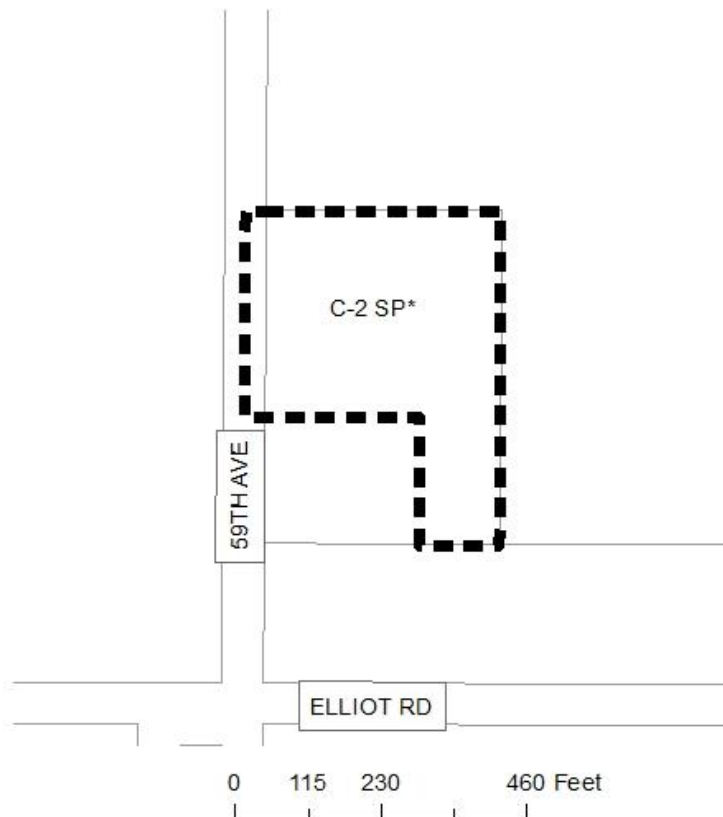
ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: - - - - -

Zoning Case Number: Z-SP-3-22-8

Zoning Overlay: N/A

Planning Village: Laveen



NOT TO SCALE



Drawn Date: 8/16/2022