

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-20-22-7) FROM CP/GCP (COMMERCE PARK, GENERAL COMMERCE PARK OPTION) TO A-1 (LIGHT INDUSTRIAL DISTRICT).

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

SECTION 1. The zoning of an 18.58-acre site located approximately 535 feet north of the northeast corner of 47th Avenue and Polk Street in a portion of Section 4, Township 1 North, Range 2 East, as described more specifically in Exhibit "A," is hereby changed from "CP/GCP" (Commerce Park, General Commerce Park Option), to "A-1" (Light Industrial 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 development shall be in general conformance with the site plan and elevations date stamped March 18, 2022, as modified by the following stipulations and approved by the Planning and Development Department.
2. The 47th Avenue landscape setback shall be planted with minimum 50 percent 2-inch caliper and minimum 50 percent 3-inch caliper large canopy, drought tolerant trees and planted 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.
3. All uncovered surface parking lot areas shall be landscaped with minimum 2-inch caliper drought-tolerant shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25 percent shade at maturity, as approved by Planning and Development Department.
4. 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.
5. 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 percent using minimum 2-inch caliper large canopy drought-tolerant shade trees and/or architectural shade, as approved by the Planning and Development Department.
6. A minimum of 12 bicycle parking spaces shall be provided through Inverted U and/or artistic racks dispersed throughout the site installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, or in a secure room, as approved by the Planning and Development Department.
7. 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.
8. The developer shall provide a No Hazard Determination for the proposed development from the FAA pursuant to the FAA's Form-7460 obstruction analysis review process, prior to construction permit approval, as per plans approved by the Planning and Development Department.

9. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
10. In the event archeological 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 Archeologist, and allow time for the Archeology Office to properly assess the materials.
11. 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)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-20-22-7

LOT 1A, LOT SPLIT MAP FOR 624 N. 44TH AVENUE, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 1416 OF MAPS, PAGE 48, AND THE ADJACENT 33 FOOT RIGHT OF WAY ALONG 47TH AVENUE, SITUATED IN A PORTION OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 1 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 4;

THENCE NORTH 00 DEGREES 12 MINUTES 55 SECONDS WEST, ALONG THE MID-SECTION LINE OF SAID SECTION 4, A DISTANCE OF 1335.00 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING NORTH 00 DEGREES 12 MINUTES 55 SECONDS WEST, ALONG THE MID-SECTION LINE OF SAID SECTION 4, A DISTANCE OF 912.50 FEET;

THENCE NORTH 89 DEGREES 45 MINUTES 50 SECONDS EAST, A DISTANCE OF 33.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 1A, AND THE EASTERLY RIGHT OF WAY LINE OF 47TH AVENUE;

THENCE NORTH 89 DEGREES 45 MINUTES 50 SECONDS EAST, ALONG THE NORTH LINE OF SAID LOT 1A, A DISTANCE OF 853.77 FEET;

THENCE SOUTH 00 DEGREES 12 MINUTES 55 SECONDS EAST, ALONG THE EAST LINE OF SAID LOT 1A, A DISTANCE OF 912.74 FEET;

THENCE SOUTH 89 DEGREES 46 MINUTES 45 SECONDS WEST, ALONG THE SOUTH LINE OF SAID LOT 1A, A DISTANCE OF 853.77 TO THE SOUTHWEST CORNER OF SAID LOT 1A, AND THE EASTERLY RIGHT OF WAY LINE OF 47TH AVENUE;

THENCE SOUTH 89 DEGREES 47 MINUTES 05 SECONDS WEST TO THE MID- SECTION LINE OF SAID SECTION 4, A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING.

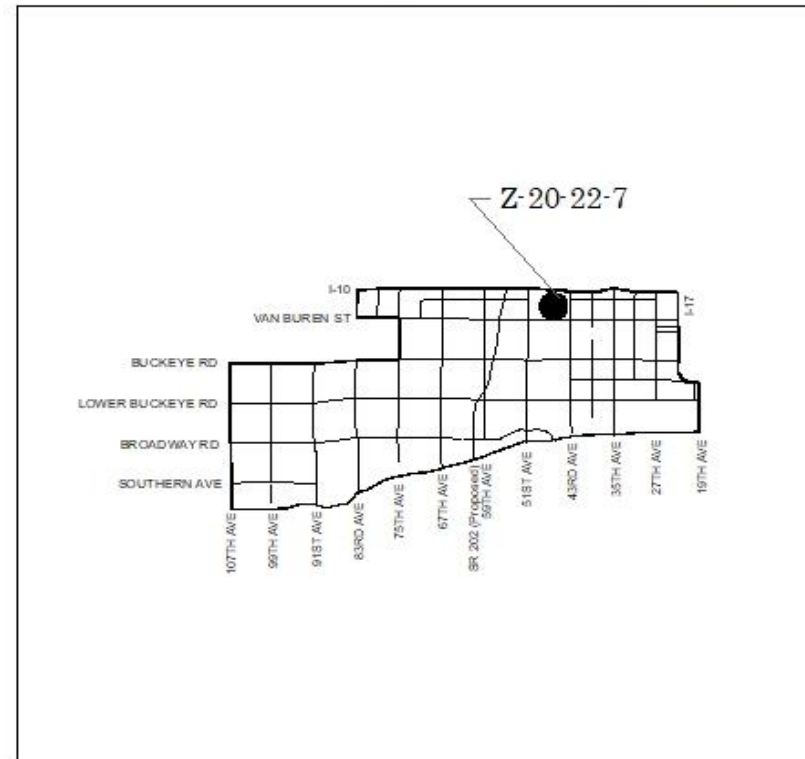
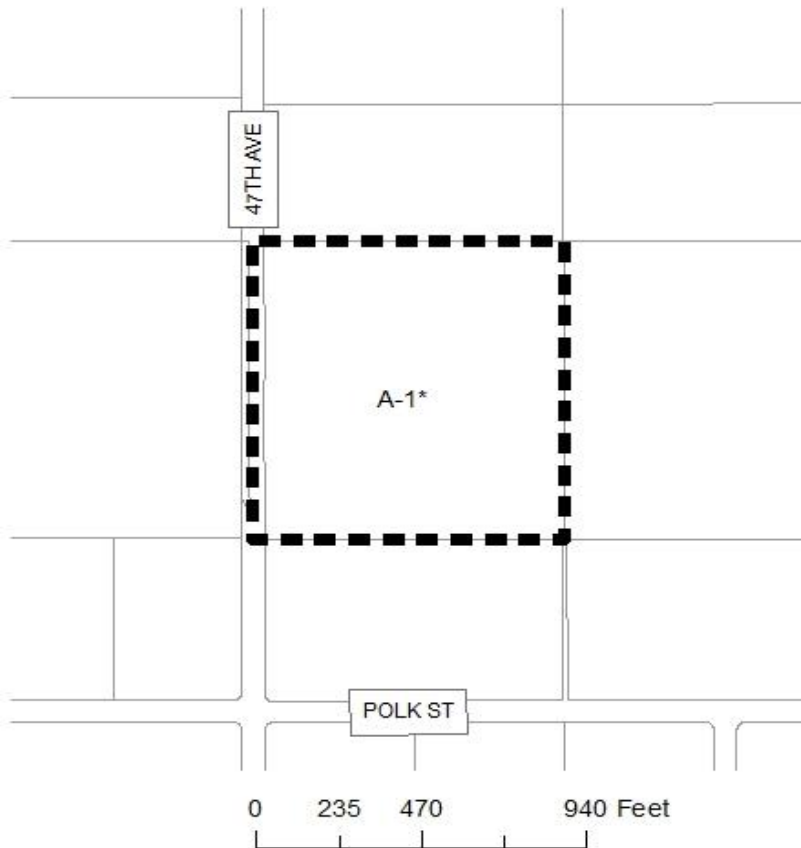
SAID PARCEL CONTAINS 809,280 SQUARE FEET OR 18.579 ACRES, MORE OR LESS.

ORDINANCE LOCATION MAP

EXHIBIT B

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

Zoning Case Number: Z-20-22-7
Zoning Overlay: N/A
Planning Village: Estrella



NOT TO SCALE



Drawn Date: 8/9/2022