

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-59-18-8) FROM R1-14 BAOD (ONE FAMILY RESIDENCE DISTRICT, BASELINE AREA OVERLAY DISTRICT) TO C-1 BAOD (NEIGHBORHOOD RETAIL DISTRICT, BASELINE AREA OVERLAY DISTRICT).

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

SECTION 1. The zoning of a 0.82 acre property located approximately 615 feet north of the northwest corner of 25th Street and Baseline Road in a portion of Section 35, Township 1 North, Range 3 East, as described more specifically in Exhibit "A", is hereby changed from "R1-14 BAOD" (One Family Residence District, Baseline Area Overlay District) to "C-1 BAOD" (Neighborhood Retail District, Baseline Area Overlay 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 conceptual site plan date stamped August 21, 2018, as may be modified for compliance with the canal bank design guidelines in Section 507 Tab A of the Zoning Ordinance, and approved by the Planning and Development Department, and with specific regard to the following:
 - a. Pedestrian pathway to provide open public access to amenities on the adjacent property to the east to be constructed of decorative pavers, stamped or colored concrete, or another material, other than those used to pave the parking surfaces and drive aisles.
 - b. Vehicular cross access to adjacent properties to the east and south, as approved by the Planning and Development Department.
2. Landscaping along the north property line shall be in conformance with the Baseline Area Master Plan Plant List with specific regard to maximizing shade and thermal comfort for pedestrians and active users along the canal, as approved by the Planning and Development Department.
3. If the subject site develops as a stand-alone parcel and does not provide an alternative street frontage to that existing along 25th Street, then the developer shall be responsible for the dedication and construction of an offset cul-de-sac bulb at the northern portion of 25th Street, south of the Western Canal, as approved by the Planning and Development and Street Transportation Department.
4. Any solid portion of a perimeter wall adjacent to the Western Canal shall not exceed a maximum height of three feet, as approved by the Planning and Development Department.
5. 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.
6. The property owner shall record documents that disclose the existence and operational characteristics of Sky Harbor International Airport (PHX) 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.

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 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 9th day of January, 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-59-18-8

The North 100 feet of the following described property:

That portion of the Southwest quarter of Section 35, Township 1 North, Range 3 East of the Gila and Salt River Base and Meridian, lying South of the Western Canal, described as follows:

Beginning at a point of the South line of Section 35, Township 1 North, Range 3 East, from which bears North 88 degrees, 30 Minutes, 30 Seconds East 736.74 feet from the Southwest corner thereof,

Thence North 00 Degrees, 04 Minutes, West 787.30 feet to the South line of the Western Canal right of way;

Thence South 89 Degrees, 07 Minutes, East 278.74 feet along said Western Canal right of way

Thence South 00 Degrees, 04 Minutes, East 775.75 feet to the South line of said Section 35;

Thence South 88 Degrees, 30 Minutes, 30 Seconds West 278.79 feet along said Section.

ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *

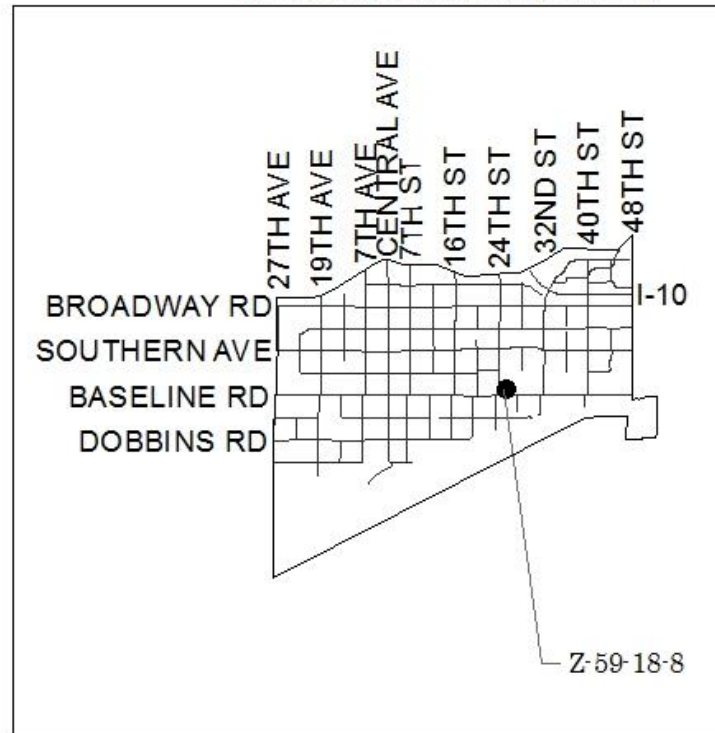
SUBJECT AREA: ■ ■ ■ ■ ■



Zoning Case Number: Z-59-18-8

Zoning Overlay: Baseline Area Plan and
Overlay District

Planning Village: South Mountain



NOT TO SCALE



Drawn Date: 12/14/2018