

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 (Z-48-19-8) FROM IND. PK. (INDUSTRIAL PARK) TO C-2 (INTERMEDIATE COMMERCIAL DISTRICT).

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

SECTION 1. The zoning of a 2.64-acre property located at the northwest corner of 25th Street and Southern Avenue, in a portion of Section 26, Township 1 North, Range 3 East, as described more specifically in Exhibit "A", is hereby changed from "IND. PK." (Industrial Park) to "C-2" (Intermediate Commercial 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. All elevations of all buildings shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, variation in window size and location, and/or other overhang canopies, as approved by the Planning and Development Department.
2. The developer shall preserve and enhance the existing industrial park monument sign with a minimum 700 square foot landscaped area with drought-tolerant plant materials providing seasonal interest and 75 percent live cover, as approved by the Planning and Development Department.
3. A minimum 25-foot landscape setback shall be required adjacent to Southern Avenue and 25th Street and planted with large canopy shade trees. Fifty percent of the trees shall be minimum three-inch caliper and 50 percent shall be minimum four-inch caliper. Trees shall be placed 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.
4. The public sidewalk shall be detached from Southern Avenue by a minimum eight-foot-wide landscape area and from 25th Street by a minimum five-foot-wide landscape area located between the sidewalk and back of curb; the landscape areas shall be planted to the following standards, as approved by the Planning and Development Department:
 - a. Minimum three-inch caliper large canopy, single-trunk shade trees placed a minimum of 25 feet on center or equivalent groupings to provide shade to a minimum 75 percent.
 - b. Drought tolerant shrubs and vegetative cover with a maximum mature height of 24 inches to provide a minimum of 75 percent live coverage at maturity.
 - c. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.
5. The developer shall provide accessible pedestrian pathways as described below and as approved by the Planning and Development Department:
 - a. Pathways shall connect the front entrances of all buildings developed on the site.
 - b. For sites with frontage on two public streets, a pathway shall be provided to both public streets.
 - c. Exclusive of drive aisle and parking area crossings, pathways shall be shaded to a minimum 50 percent by shade trees at plant maturity. For pathways adjacent to buildings, architectural shade may comprise a maximum of 50 percent.

- d. Where pathways cross drive-aisles and parking areas, the pathway shall be constructed of decorative pavement that visually contrasts with the adjacent parking and drive aisle surfaces.
6. A minimum of two inverted-U bicycle racks shall be provided near building entries and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
7. The developer shall construct a dual curb ramp at the northeast corner of 25th Street and Southern Avenue (Standard Detail P-1236) and, if needed, dedicate associated right of way, as approved by the Planning and Development Department.
8. 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.
9. 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.
10. If determined necessary by the 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.
11. If Phase I data testing is required, and 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, the applicant shall conduct Phase II archaeological data recovery excavations.
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. The roofing material shall be white and reflective so as to reduce the urban heat island effect.
14. 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 8th 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)

EXHIBIT A

LEGAL DESCRIPTION FOR Z-48-19-8

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 1 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY ARIZONA. SPECIFICALLY DESCRIBED AS FOLLOWS:

LOTS 17, 18, 19 AND 20, SOUTHERN GARDEN INDUSTRIAL PARK PHASE ONE, ACCORDING TO BOOK 231 OF MAPS, PAGE 1, AND THEREAFTER AFFIDAVIT OF CORRECTION RECORDED APRIL 10, 1981 IN DOCKET 15155, PAGE 274, RECORDS OF MARICOPA COUNTY, ARIZONA, AND ADJOINING ROADWAYS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 3-INCH CITY OF PHOENIX BRASS CAP FLUSH MARKING THE INTERSECTION OF 24TH STREET AND SOUTHERN AVENUE, FROM WHICH A 3-INCH CITY OF PHOENIX BRASS CAP FLUSH MARKING THE INTERSECTION OF SOUTHERN AVENUE & 25TH STREET BEARS NORTH 86 DEGREES 41 MINUTES 28 SECONDS EAST 860.35 FEET, SAID DESCRIBED LINE BEING THE BASIS OF BEARINGS FOR THIS DESCRIPTION;

THENCE NORTH 86 DEGREES 41 MINUTES 28 SECONDS EAST 350.03 FEET ALONG THE SAID MONUMENT LINE OF SOUTHERN AVENUE TO THE SOUTHERLY PROLONGATION OF THE WEST LINE OF SAID LOT 20 AND THE POINT OF BEGINNING;

THENCE NORTH 00 DEGREES 07 MINUTES 58 SECONDS EAST 240.58 FEET ALONG SAID WEST LINE TO THE SOUTH LINE OF THE NORTH 25.00 FEET OF SAID LOTS 20, 19, 18, & 17;

THENCE SOUTH 89 DEGREES 53 MINUTES 12 SECONDS EAST 509.97 FEET ALONG SAID SOUTH LINE TO THE MONUMENT LINE OF 25TH STREET, .

THENCE SOUTH 00 DEGREES 17 MINUTES 15 SECONDS WEST 210.12 FEET ALONG SAID MONUMENT LINE TO A 3-INCH CITY OF PHOENIX BRASS CAP FLUSH, MARKING THE INTERSECTION OF 25TH STREET AND SOUTHERN A VENUE;

THENCE SOUTH 86 DEGREES 41 MINUTES 28 SECONDS WEST 510.33 FEET ALONG SAID MONUMENT LINE TO THE POINT OF BEGINNING:

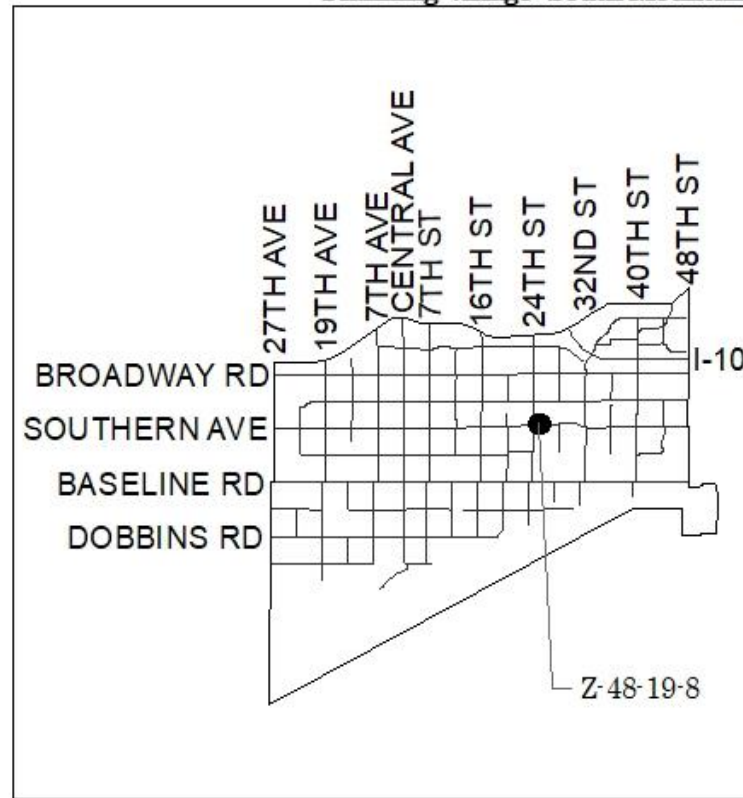
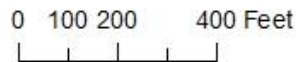
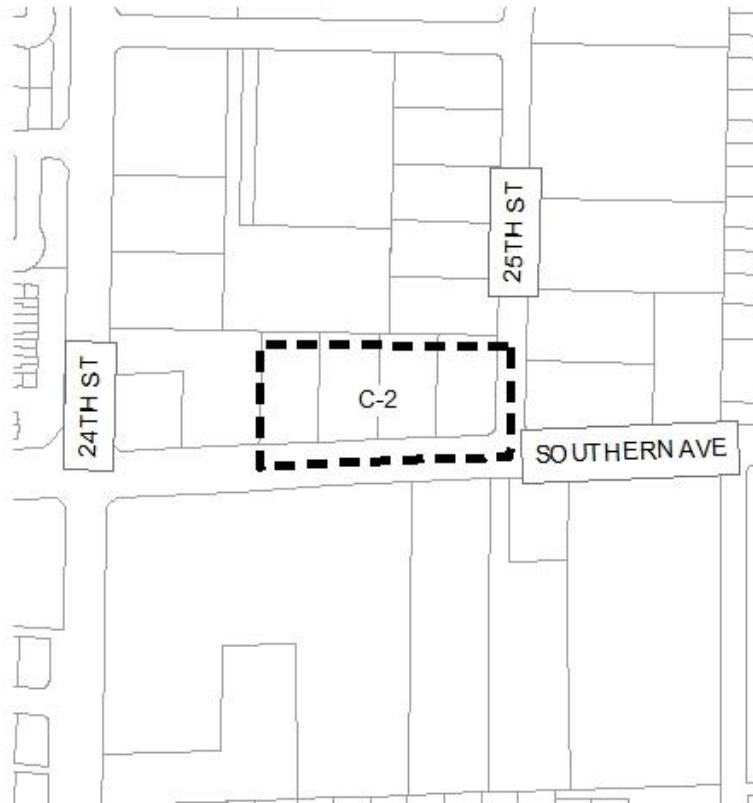
COMPRISING 2.93 ACRES OF 127,605 SQUARE FEET MORE OR LESS, SUBJECT TO ALL EASEMENTS OF RECORD.

ORDINANCE LOCATION MAP

EXHIBIT B

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

Zoning Case Number: Z-48-19-8
Zoning Overlay: N/A
Planning Village: South Mountain



NOT TO SCALE



Drawn Date: 12/9/2019