

ATTACHMENT A

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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-SP-3-18-7) FROM C-2 BAOD (INTERMEDIATE COMMERCIAL, BASELINE AREA OVERLAY DISTRICT) TO C-2 SP BAOD (INTERMEDIATE COMMERCIAL, SPECIAL PERMIT, BASELINE AREA OVERLAY DISTRICT) TO ALLOW SELF-SERVICE STORAGE, HOUSEHOLD MOVING CENTER (TRUCK RENTAL) AND ALL UNDERLYING C-2 USES.

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

SECTION 1. The zoning of an approximately 10.27-acre property located approximately 300 feet east of the northeast corner of Jesse Owens Parkway and Baseline Road in a portion of Section 32, Township 1 North, Range 3 East, as described more specifically in Exhibit "A", is hereby changed from "C-2 BAOD" (Intermediate Commercial, Baseline Area Overlay District), to "C-2 SP BAOD" (Intermediate Commercial, Special Permit, Baseline Area Overlay District) for a special permit to allow self-service storage, household moving center (truck rental) and all 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. A minimum 50-foot landscaped setback measured from the property line shall be provided adjacent to Baseline Road.
2. Walkways shall be provided between all buildings and between the buildings and the perimeter streets. The walkways shall be of contrasting materials such as brick or concrete pavers where the walkway crosses a vehicular path.
3. Fifteen percent of surface parking lots, exclusive of the required perimeter landscaping and front setbacks, shall be landscaped and maintained. Landscaping shall be dispersed throughout the parking area with the interior width of all planting islands to be no less than eight feet in width and a minimum of one hundred twenty square feet in area.
4. All building elevations, including those facing or visible from the Western Canal, shall contain multiple exterior accent materials, architectural embellishments, and/or detailing such as green screens, textural changes, pilasters, offsets, recesses, variation in window size and location, and/or other overhang canopies, as approved by the Planning and Development Department.
5. Pitched roof elements shall be incorporated in all new buildings and building additions constructed after the date of City Council approval of this case, as approved by the Planning and Development Department.
6. All buildings containing self-service storage units shall maintain a minimum building setback of 175 feet from the south property line, as approved by the Planning and Development Department.
7. No bay or loading doors shall be visible from public rights-of-way, as approved by the Planning and Development Department.

8. The developer shall provide a landscaped entry area along Baseline Road that shall be a minimum of 1,000 square feet in area and be planted and maintained with a variety of at least three plant materials including a series of annuals that will each maintain a constant bloom throughout the year, as approved by the Planning and Development Department.
9. The existing oleander hedge along the Western Canal shall be removed and replaced with plantings 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.
10. 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.
11. The developer shall provide a pedestrian walkway constructed of porous, interlocking, or open-grid pavers or another alternative surface material, which provides connectivity between Baseline Road and the Western Canal, as depicted on the Preliminary Landscape Plan date stamped August 1, 2018 and as approved by the Planning and Development Department.
12. The developer shall provide a minimum 3,000 square feet of public open space, to be located along the northern property line adjacent to the Western Canal, which shall be finished with turf or an alternative surface material and contain the following amenities and open public access to the amenities, as approved by the Planning and Development Department:
 - a. Minimum one amenity for equestrian users. Amenities may include, but are not limited to: corral area and hitching posts.
 - b. Shaded seating area with benches and/or ramada.
 - c. Minimum five bicycle parking spaces consisting of inverted-U bicycle racks and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance.
 - d. Bicycle repair station as depicted on the Conceptual Amenities Plan date stamped August 1, 2018, and/or as approved by the Planning and Development Department.
13. The developer shall provide bicycle parking areas containing a minimum of five spaces adjacent to each building on the subject site, consisting of inverted-U bicycle racks and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.

14. The developer shall dedicate a 30-foot wide multi-use trail easement (MUTE) along the north side of Baseline Road and construct a minimum 10-foot wide multi-use trail (MUT) within the easement, in accordance with the MAG supplemental detail, or as otherwise approved by the Parks and Recreation and Planning and Development Departments.
15. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix 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.
16. 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.
17. 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 7th day of November, 2018.

MAYOR

ATTEST:

_____ City Clerk

APPROVED AS TO FORM:

_____ City Attorney

REVIEWED BY:

_____ City Manager

Exhibits:

A – Legal Description (3 Pages)

B – Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR Z-SP-3-18-8

THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 1 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH ONE-QUARTER CORNER OF SAID SECTION 32; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, ALONG THE SOUTH LINE OF SAID SECTION 32, A DISTANCE OF 1193.80 TO A POINT WHICH IS AT THE MONUMENT LINE INTERSECTION OF BASELINE ROAD AND JESSE OWENS PARKWAY;

THENCE NORTH 14 DEGREES 00 MINUTES 00 SECONDS EAST, ALONG THE MONUMENT LINE OF JESSE OWENS PARKWAY, A DISTANCE OF 56.68 FEET TO A POINT;

THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 46.07 FEET TO A POINT WHICH IS 55 FEET NORTH OF SAID SECTION LINE;

THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST PARALLEL TO AND 55 FEET NORTH OF SAID SOUTH SECTION LINE, A DISTANCE OF 285.42 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 177.00 FEET TO A POINT;

THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 251.28 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF JESSE OWENS PARKWAY;

THENCE NORTH 14 DEGREES 00 MINUTES 00 SECONDS EAST ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 92.34 FEET TO A POINT AT THE BEGINNING OF A CIRCULAR CURVE TO THE LEFT HAVING A RADIUS OF 855.00 FEET;

THENCE ALONG SAID RIGHT OF WAY, AND ARC OF THE CIRCULAR CURVE THROUGH A CENTRAL ANGLE OF 17 DEGREES 48 MINUTES 50 SECONDS, A DISTANCE OF 265.83 FEET, TO A POINT OF TANGENCY;

THENCE CONTINUING ALONG SAID RIGHT OF WAY, NORTH 03 DEGREES 48 MINUTES 50 SECONDS WEST, A DISTANCE OF 142.34 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF THE WESTERN CANAL;

THENCE DEPARTING FROM THE RIGHT OF WAY OF JESSE OWENS PARKWAY, ALONG THE SOUTH RIGHT OF WAY LINE OF THE WESTERN CANAL, NORTH 84 DEGREES 07 MINUTES 20 SECONDS EAST, A DISTANCE OF 31 .00 FEET TO A POINT;

THENCE CONTINUING ALONG SAID CANAL RIGHT OF WAY,

NORTH 88 DEGREES 43 MINUTES 22 SECONDS EAST, A
DISTANCE OF 400.00 FEET TO A POINT;

THENCE CONTINUING ALONG SAID CENTRAL RIGHT OF WAY, SOUTH 88
DEGREES 01 MINUTES 07 SECONDS EAST, A DISTANCE OF 184.72 FEET TO A
POINT;

THENCE DEPARTING FROM SAID CANAL RIGHT OF WAY, SOUTH
00 DEGREES 01 MINUTES 20 SECONDS EAST, A DISTANCE OF
404.04 FEET TO A POINT;
THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST A DISTANCE OF
136.00 FEET TO A POINT;

THENCE SOUTH 00 DEGREES 01 MINUTES 20 SECONDS EAST A DISTANCE
OF 274.00 FEET TO A POINT WHICH IS 55 FEET NORTH OF SAID SOUTH
SECTION LINE;

THENCE PARALLEL TO AND 55 FEET NORTH OF SAID SOUTH SECTION LINE,
NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF
264.70 FEET TO THE POINT OF BEGINNING.

THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 1
NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN,
MARICOPA COUNTY, ARIZONA DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH ONE-QUARTER CORNER OF SAID SECTION 32;

THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, ALONG THE
SOUTH LINE OF SAID SECTION 32, A DISTANCE OF 1193.80 TO A POINT WHICH
IS AT THE MONUMENT LINE INTERSECTION OF BASELINE ROAD AND JESSE
OWENS PARKWAY;

THENCE NORTH 14 DEGREES 00 MINUTES 00 SECONDS EAST, ALONG THE
MONUMENT LINE OF JESSE OWENS PARKWAY, A DISTANCE OF 46.07 FEET
TO A POINT WHICH IS-55 FEET NORTH OF SAID SOUTH SECTION LINE;

THENCE PARALLEL WITH SAID SOUTH SECTION LINE, NORTH 90 DEGREES
00 MINUTES 00 SECONDS EAST, A DISTANCE OF 550.12 FEET TO THE TRUE
POINT OF BEGINNING;

THENCE NORTH 00 DEGREES 01 MINUTES 20 SECONDS WEST, A DISTANCE
OF 274.00 FEET TO A POINT; THENCE NORTH 90 DEGREES 00 MINUTES 00
SECONDS EAST, A DISTANCE OF 136.00 FEET TO A POINT;

THENCE SOUTH 00 DEGREES 01 MINUTES 20 SECONDS EAST, A DISTANCE OF 274.00 FEET TO A POINT WHICH IS 55 FEET NORTH OF SAID SOUTH SECTION LINE;

THENCE PARALLEL TO SAID SOUTH SECTION LINE, SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 136.00 FEET TO THE POINT OF BEGINNING.

DRAFT

ORDINANCE LOCATION MAP

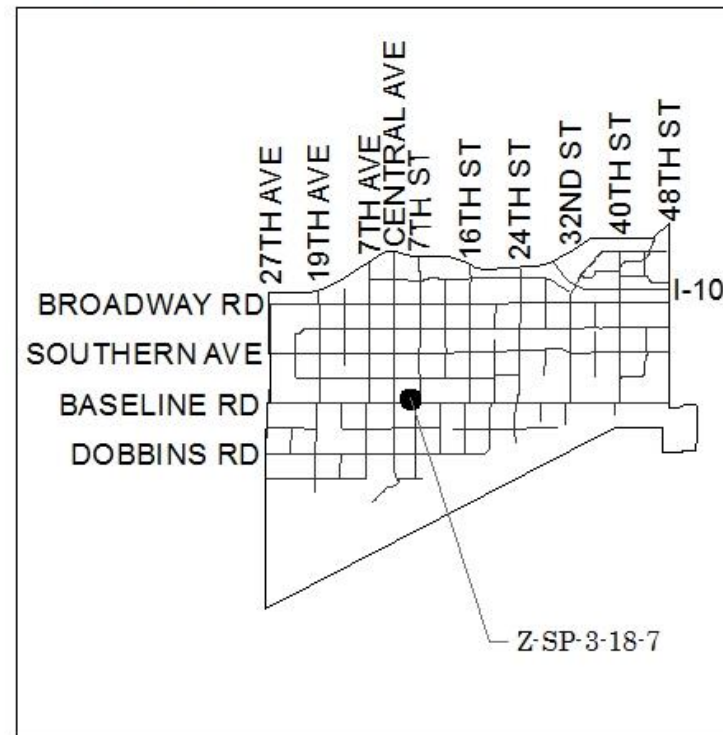
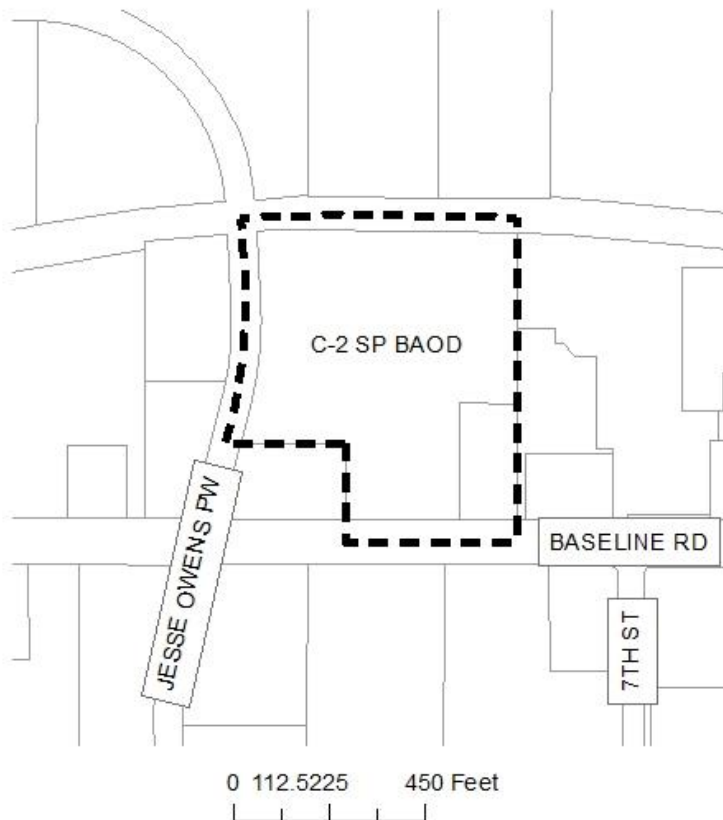
EXHIBIT B

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

Zoning Case Number: Z-SP-3-18-7

Zoning Overlay: Baseline Area Plan and Overlay District

Planning Village: South Mountain



NOT TO SCALE



Drawn Date: 10/3/2018