

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-5-20-7) FROM A-1 SP (LIGHT INDUSTRIAL, SPECIAL PERMIT) TO A-1 (LIGHT INDUSTRIAL).

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

SECTION 1. The zoning of a 3.66-acre site located at the southwest corner of 32nd Drive and Jackson Street in a portion of Section 11, Township 1 North, Range 2 East, as described more specifically in Exhibit "A", is hereby changed from "A-1 SP" (Light Industrial, Special Permit) to "A-1" (Light Industrial).

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 maximum building height shall be 30 feet.
2. A minimum building setback of 50 feet shall be required along the north property line, exclusive of parking areas, as approved by the Planning and Development Department.
3. A minimum 10-foot-wide landscape area shall be provided for the eastern 100 feet of the north property line.
4. A minimum 20-foot-wide landscape area shall be provided for the western 550 feet along the north property line.
5. The Jackson Street landscape area shall be developed to the following standards, as approved by the Planning and Development Department:
 - a. Minimum 25 percent 1-inch caliper, minimum 50 percent 2-inch caliper, and minimum 25 percent 3-inch caliper size evergreen trees planted 20 feet on center or in equivalent groupings.
 - b. Trees shall be oriented in a manner that provides the maximum shade possible to the adjacent sidewalk.
 - c. Two-inch and 3-inch caliper size trees shall be located in a manner that screens semi-truck parking or outdoor uses from public view as much as possible.
 - d. Minimum of five, 5-gallon shrubs per tree.
 - e. Where utility conflicts exist, an alternative solution consistent with a pedestrian environment shall be provided.
6. The developer shall dedicate right-of-way and construct a 50-foot radius cul-de-sac at the western end of Jackson Street along with required improvements, 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 record a Notice of 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 of the property.
9. The developer shall provide documentation to the City prior to construction permit approval that Form 7460-1 has been filed for the development and that the development received a "No Hazard Determination" from the FAA. If temporary equipment used during construction exceeds the height of the permanent structure a separate Form 7460-1 shall be submitted to the FAA and a "No Hazard Determination" obtained prior to the construction start date.
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 Phase I data testing, the City Archaeologist, in consultation with a qualified archeologist, 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 following minimum elements shall be provided and maintained by the property owner within proximity to Jackson Street, as approved by the Planning and Development Department:
 - a. A community garden of no less than 600 square feet in area containing irrigation;
 - b. A seating node containing a minimum of one seating element or bench.
14. All surface parking areas shall be shaded to achieve a minimum of 25 percent shade at maturity, as approved by the Planning and Development Department.
15. The applicant shall pursue approval of alternative paving that minimizes heat for the surface parking area. If traditional paving is utilized, other design solutions such as increased shade may be utilized to shade parking areas to minimize heat absorption, as approved by the Planning and Development Department.
16. 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 3rd day of March, 2021.

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-5-20-7

WITHIN A PORTION OF SECTION 11, TOWNSHIP 1 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL NO. 1:

THE EAST HALF OF LOT 8, BLOCK 3 AND THE WEST HALF OF LOT 6, BLOCK 4, WORMSERS ADDITION, ACCORDING TO BOOK 2 OF MAPS, PAGE 16, RECORDS OF MARICOPA COUNTY, ARIZONA.

EXCEPT THE SOUTH 82.5 FEET OF SAID LOTS 6 AND 8. PARCEL NO. 2:

THAT PORTION OF OSBORN AVENUE, NOW KNOWN AS 33RD AVENUE, SHOWN ON THE PLAT OF WORMSERS ADDITION, ACCORDING TO BOOK 2 OF MAPS, PAGE 16, RECORDS OF MARICOPA COUNTY, ARIZONA, LYING BETWEEN THE EASTERLY PROLONGATION OF A LINE PARALLEL TO AND 25 FEET SOUTH OF THE NORTH LINE OF LOT 8 IN BLOCK 3, AND THE EASTERLY PROLONGATION OF A LINE PARALLEL TO AND 82.5 FEET NORTH OF THE SOUTH LINE OF LOT 8, BLOCK 3, SAID WORMSERS ADDITION.

ORDINANCE LOCATION MAP

EXHIBIT B

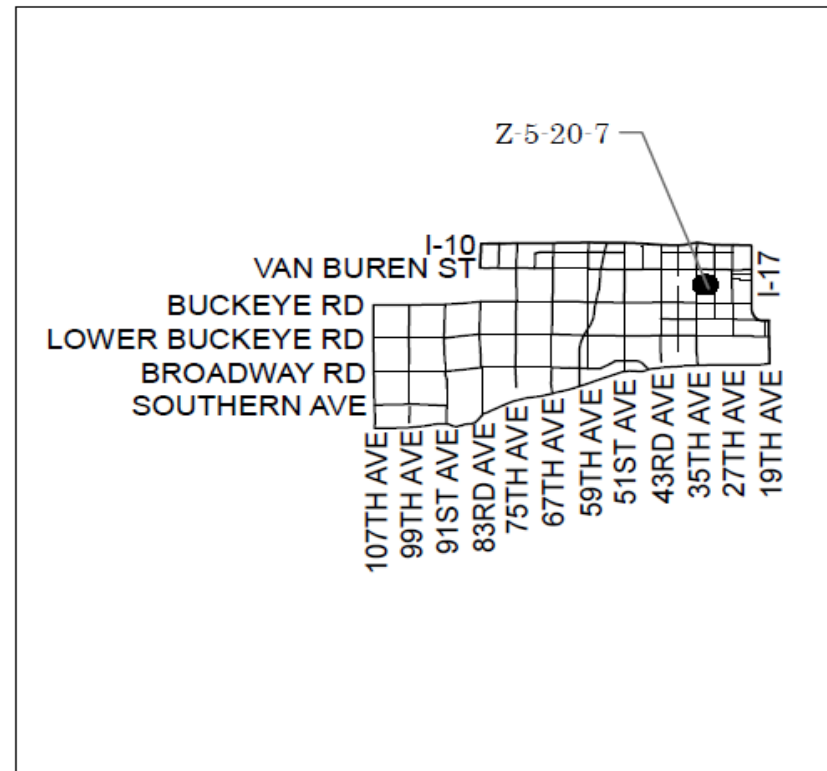
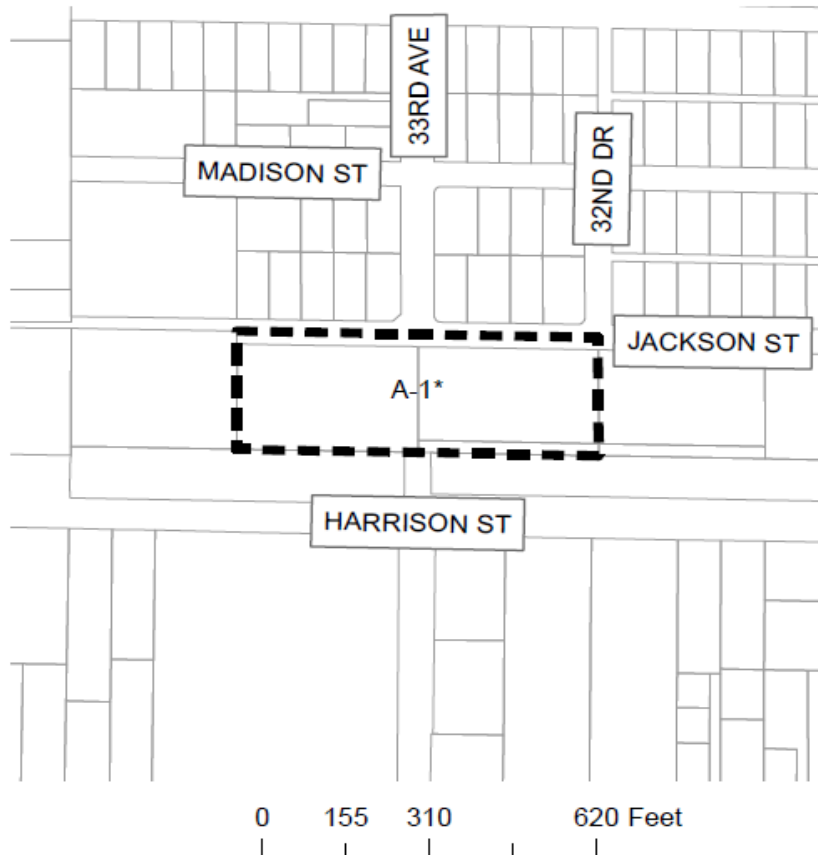
ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: ■ ■ ■ ■ ■

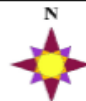
Zoning Case Number: Z-5-20-7

Zoning Overlay: N/A

Planning Village: Estrella



NOT TO SCALE



Drawn Date: 1/4/2021