

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-54-18-7) FROM PSC (PLANNED SHOPPING CENTER DISTRICT) TO C-1 (NEIGHBORHOOD RETAIL).

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

SECTION 1. The zoning of an approximately 6.18-acre property located approximately 500 feet west of the northwest corner of 67th Avenue and Thomas Road in a portion of Section 25, Township 2 North, Range 1 East, as described more specifically in Exhibit "A", is hereby changed from "PSC" (Planned Shopping Center District), to "C-1" (Neighborhood Retail).

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 conceptual landscape plan, date stamped August 10, 2018, as approved by the Planning and Development Department.
2. The sidewalks along Thomas Road shall be detached with a minimum five-foot wide landscape strip located between the sidewalk and back of curb and be planted with a minimum 2-inch caliper shade trees, as approved by the Planning and Development Department.
3. A minimum 25 percent of the amenity/open space shall be shaded using shade trees or structures, as approved by the Planning and Development Department.
4. The developer shall install a minimum of two inverted U-bicycle racks for guests, installed per the requirements of Section 1307.H.4 of the Zoning Ordinance, as approved by the Planning and Development Department.
5. 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.
6. 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.
7. The applicant shall conduct Phase II archaeological data recovery excavations 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.
8. 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.

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 5th day of December, 2018.

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-54-18-7

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 2 NORTH, RANGE 1 EAST, GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA

LOT 1, WESTRIDGE COMMERCIAL PLAZA, ACCORDING TO BOOK 433 OF MAPS, PAGE 12, RECORDS OF MARICOPA COUNTY, ARIZONA;

EXCEPT THE FOLLOWING DESCRIBED PARCEL OF LAND:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 1, A POINT LYING ON THE WEST RIGHT OF WAY LINE OF 67TH AVENUE;

THENCE SOUTH 01 DEGREES 07 MINUTES 20 SECONDS WEST, ALONG THE EAST LINE OF SAID LOT 1, AND THE WEST RIGHT OF WAY LINE OF 67TH AVENUE, A DISTANCE OF 138.00 FEET;

THENCE SOUTH 2 DEGREES 16 MINUTES 04 SECONDS WEST (RECORD SOUTH 1 DEGREE 16 MINUTES 04 SECONDS) ALONG THE EAST LINE OF SAID LOT 1 AND THE WEST RIGHT OF WAY LINE OF 67TH AVENUE, A DISTANCE OF 100.04 FEET;

THENCE SOUTH 01 DEGREES 07 MINUTES 20 SECONDS WEST ALONG THE EAST LINE OF SAID LOT 1, A DISTANCE OF 40.96 FEET TO THE MOST SOUTHEASTERLY CORNER OF SAID LOT 1 LYING ON THE WEST RIGHT OF WAY LINE OF 67TH AVENUE;

THENCE NORTH 89 DEGREES 35 MINUTES 08 SECONDS WEST ALONG THE NORTH LINE OF LOT 3 OF SAID SUBDIVISION, A DISTANCE OF 280.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 3; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 278.94 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 1;

THENCE SOUTH 89 DEGREES 35 MINUTES 08 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 287.46 FEET TO THE POINT OF BEGINNING.

BASIS OF BEARING

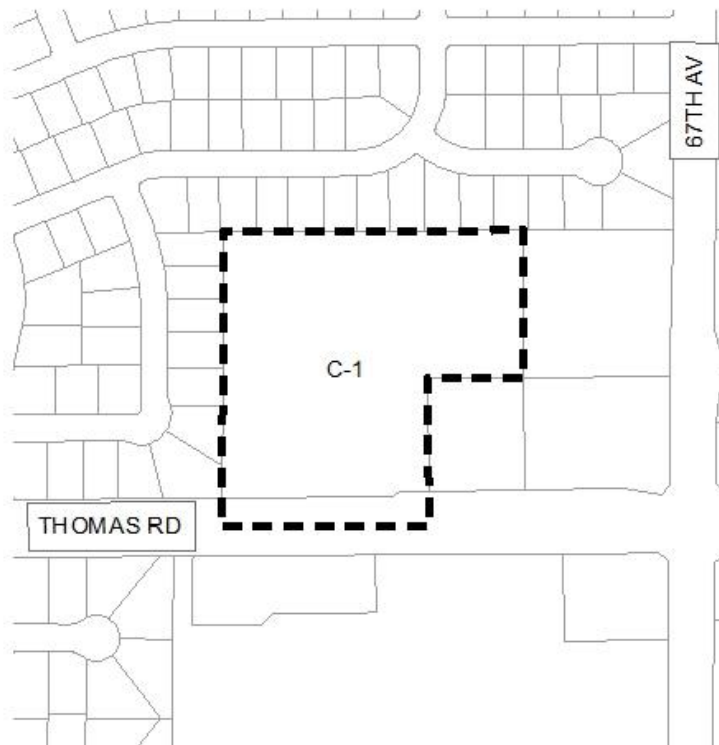
NORTH 89°35'08" WEST - BEING THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 2 NORTH, RANGE 1 EAST, G.& S.R.M., AS RECORDED ON THE FINAL PLAT OF WESTRIDGE COMMERCIAL PLAZA, RECORDED IN BOOK 433, PAGE 12, MARICOPA COUNTY RECORDS

ORDINANCE LOCATION MAP

EXHIBIT B

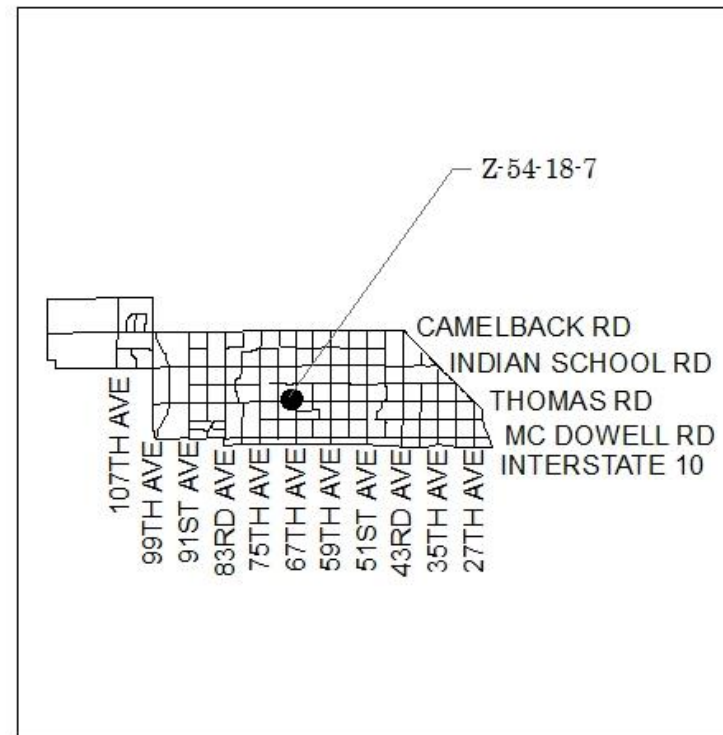
ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: ■ ■ ■ ■ ■



0 90 180 360 Feet

Zoning Case Number: Z-54-18-7
Zoning Overlay: N/A
Planning Village: Maryvale



NOT TO SCALE



Drawn Date: 11/1/2018