

ATTACHMENT A

**THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL
ADOPTED RESOLUTION**

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-85-C-97-2) FROM PCD NBCOD, APPROVED C-2 HGT/WVR PCD NBCOD (PLANNED COMMUNITY DISTRICT, NORTH BLACK CANYON OVERLAY DISTRICT, APPROVED INTERMEDIATE COMMERCIAL, HEIGHT WAIVER, PLANNED COMMUNITY DISTRICT, NORTH BLACK CANYON OVERLAY DISTRICT) TO C-2 SP PCD NBCOD (INTERMEDIATE COMMERCIAL, SPECIAL PERMIT, PLANNED COMMUNITY DISTRICT, NORTH BLACK CANYON OVERLAY DISTRICT).

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

SECTION 1: The zoning of an approximately 3.78-acre property located approximately 429 feet north of the northwest corner of 32nd Drive and Canotia Place in a portion of Section 2, Township 5 North, Range 2 East, as described more specifically in Attachment "A", is hereby changed from "PCD NBCOD, Approved C-2 HGT/WVR PCD NBCOD" (Planned Community District, North Black Canyon Overlay District, Approved Intermediate Commercial, Height Waiver for up to four stories and 56 feet, Planned Community District, North Black Canyon Overlay District), to "C-2 SP PCD NBCOD" (Intermediate Commercial, Special Permit to allow a self-service storage

warehouse and all underlying C-2 uses, Planned Community District, North Black Canyon 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 Attachment "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 date stamped February 12, 2018, with specific regard to the landscape setbacks, as approved by the Planning and Development Department.
2. The architectural design of the building shall incorporate design elements from the adjacent office complex located on the southwest side of the site, to appear as a unified development, as approved by the Planning and Development Department.
3. The perimeter wall on the north side of the property, adjacent to the park, shall be decorative and consistent with the colors and materials of existing perimeter walls visible from the park, as approved by the Planning and Development Department.
4. A 10-foot wide multi-use trail shall be constructed within a 55-foot by 55-foot triangular multi-use trail easement along the northwest corner of the property. The multi-use trail shall connect to the park and the proposed trail on the multifamily development to the west, as approved by the Planning and Development Department.
5. The developer shall construct all streets adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
6. 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.

Applicable PCD Stipulations as modified from Z-85-97-2:

7. Prior to final site plan approval, the Developer shall submit to the Planning and Development Department for review and approval an updated General Development Plan, including Land Use Table and Map, reflecting the approved zoning, acreage and densities.
8. The entire PCD development shall be limited to a maximum of 3,334 dwelling units. The actual number of dwelling units may be less due to the hillside areas above the 10 percent slope and based on methods used to provide drainage and retention.
9. Landscape plant material selection and placement along perimeter and screen walls shall function to discourage graffiti.
10. 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 applications 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 6th day of June, 2018.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

_____ City Attorney

REVIEWED BY:

_____ City Manager

Exhibits:

A – Legal Description (2 Pages)

B – Ordinance Location Map (1 Page)

EXHIBIT A

BEING A PORTION OF LOT 1, "TRAMONTO CROSSING", AS RECORDED IN BOOK 847 OF MAPS, PAGE 23, OFFICIAL RECORDS OF MARICOPA COUNTY RECORDER AND A PORTION OF "TRAMONTO CROSSING OFFICE CONDOMINIUM", AS RECORDED IN BOOK 847 OF MAPS, PAGE 23 OFFICIAL RECORDS OF MARICOPA COUNTY RECORDER, LOCATED WITHIN THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 5 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING DESCRIBED MORE PARTICULARLY AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 1;

THENCE SOUTH 00°01'11" EAST, (SOUTH 00°00'00" EAST RECORD) ALONG THE EAST LINE OF SAID LOT 1, FOR A DISTANCE OF 705.44 FEET, (704.97 FEET RECORD), TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF 32ND DRIVE, BEING A POINT ON A NON-TANGENT CURVE, CONCAVE TO THE SOUTH, WHOSE CENTER BEARS SOUTH 00°10'12" EAST, FOR A RADIAL DISTANCE OF 60.00 FEET;

THENCE WESTERLY ALONG SAID NORTHERLY RIGHT OF WAY LINE AND NON-TANGENT CURVE, THROUGH A CENTRAL ANGLE OF 6°51'31", FOR AN ARC LENGTH OF 7.18 FEET, TO A NON-TANGENT POINT;

THENCE DEPARTING SAID RIGHT OF WAY, NORTH 35°04'46" WEST, FOR A DISTANCE OF 118.61 FEET;

THENCE NORTH 38°31'37" WEST, FOR A DISTANCE OF 109.81 FEET, TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE TO THE SOUTHWEST, WHOSE CENTER BEARS SOUTH 48°25'45" WEST, FOR A RADIAL DISTANCE OF 1796.55 FEET;

THENCE ALONG SAID NON-TANGENT CURVE, THROUGH A CENTRAL ANGLE OF 9°59'24", FOR AN ARC LENGTH OF 313.25 FEET, TO A NON-TANGENT POINT ON THE WESTERLY LINE OF SAID LOT 1;

THENCE NORTH 37°46'54" EAST, (NORTH 37°47'22" EAST RECORD) ALONG SAID WESTERLY LINE, FOR A DISTANCE OF 201.06 FEET (106.34 FEE RECORD);

THENCE NORTH 00°27'01" WEST, (NORTH 00°25'13" WEST RECORD) CONTINUING ALONG SAID WESTERLY LINE, FOR A DISTANCE OF 106.37 FEET;

THENCE NORTH 01°10'25" EAST, (NORTH 01°10'38" EAST RECORD) FOR A DISTANCE OF 41.11 FEET (41.01 FEET RECORD), TO A POINT MARKING THE NORTHWEST CORNER OF SAID LOT 1;

THENCE NORTH 89°39'43" EAST, (NORTH 89°44'46" EAST RECORD) ALONG THE NORTH LINE OF SAID LOT 1, FOR A DISTANCE OF 247.48 FEET, (247.66 FEET RECORD) TO THE **POINT OF BEGINNING**.

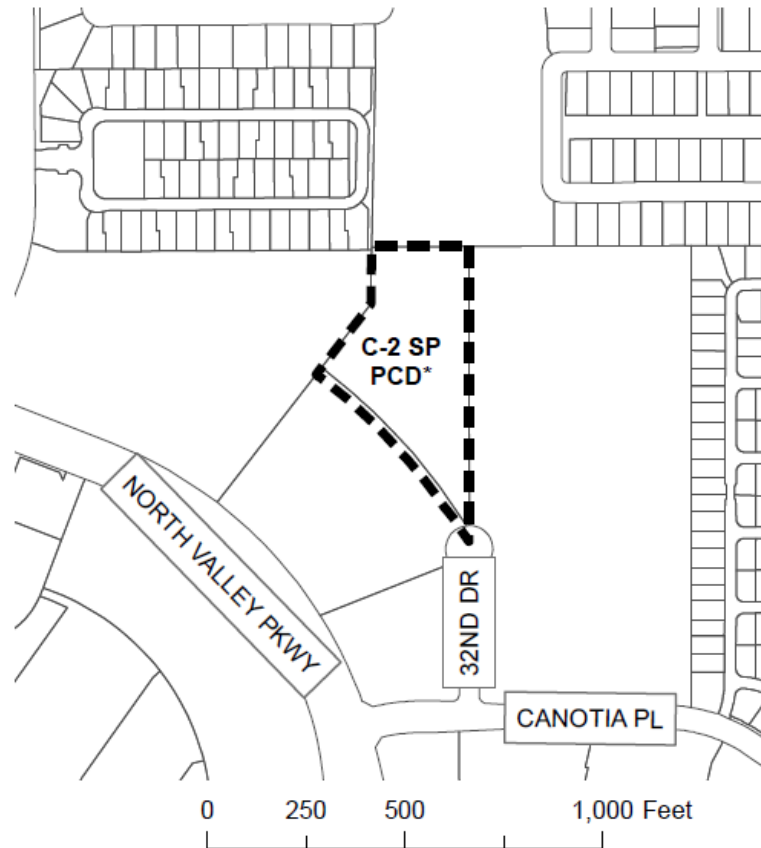
SAID PARCEL CONTAINS 3.516 ACRES (153,172.56 S.F.) MORE OR LESS.

ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *

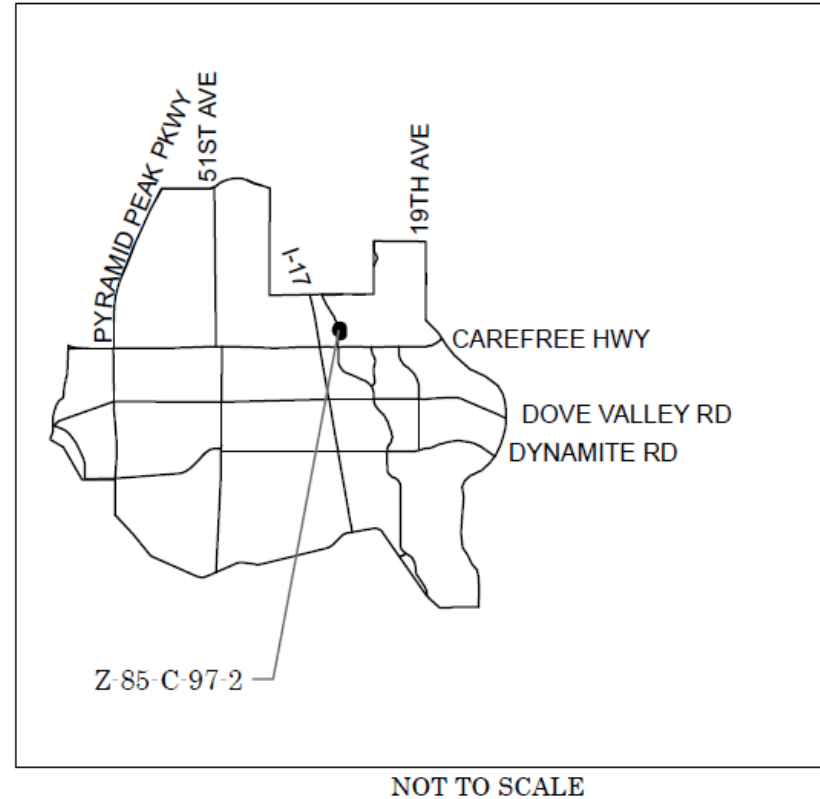
SUBJECT AREA: ■ ■ ■ ■ ■



Zoning Case Number: Z-85-C-97-2

Zoning Overlay: Black Canyon Corridor Plan and Overlay
District

Planning Village: North Gateway



Drawn Date: 5/3/2018

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