

ORDINANCE G-6798

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-58-20-2) FROM S-1 DVAO (APPROVED CP/GCP PCD DVAO) (RANCH OR FARM RESIDENCE, DEER VALLEY AIRPORT OVERLAY DISTRICT, APPROVED COMMERCE PARK/GENERAL COMMERCE PARK, PLANNED COMMUNITY DISTRICT, DEER VALLEY AIRPORT OVERLAY DISTRICT) AND S-1 DVAO (RANCH OR FARM RESIDENCE, DEER VALLEY AIRPORT OVERLAY DISTRICT) TO PUD DVAO (PLANNED UNIT DEVELOPMENT, DEER VALLEY AIRPORT OVERLAY DISTRICT).

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

follows:

SECTION 1. The zoning of a 108.66 acre site located approximately 1,320 feet south of the southeast corner of 7th Street and Happy Valley Road in a portion of Section 9, Township 4 North, Range 3 East, as described more specifically in Exhibit "A," is hereby changed from 105.88 acres of "S-1 DVAO (Approved CP/GCP PCD DVAO)" (Ranch or Farm Residence, Deer Valley Airport Overlay District, Approved Commerce Park/General Commerce Park, Planned Community District, Deer Valley Airport Overlay District) and 2.77 acres of "S-1 DVAO" (Ranch or Farm Residence, Deer

Valley Airport Overlay District) to "PUD DVAO" (Planned Unit Development, Deer Valley Airport 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 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. An updated Development Narrative for the ASLD Supplier Site B PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with Development Narrative dated December 3, 2020, as modified by the following stipulations.
2. The developer shall dedicate 65 feet of right-of-way and construct the east half of 7th Street for the full limits of the project per Cross Section B identified on the City of Phoenix Street Classification Map, or as modified and approved by the Street Transportation and Planning and Development Departments.
3. The developer shall submit a Traffic Impact Study (TIS) to the City for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City. Contact the Street Transportation Department to set up a meeting to discuss requirements of the study. The TIS shall include a signal warrant analysis for the intersections of 7th Street and Alameda. The developer shall be responsible for the cost of improvements as required by the approved Traffic Impact study.
4. The developer shall submit a traffic signal conduit plan and install all necessary infrastructure at the northeast corner of 7th Street and Alameda Road, as approved by the Street Transportation Department.
5. All designated public roadways shall meet the City of Phoenix, Storm Water Design Manual for dry crossings, as approved by the Street Transportation Department.

6. 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.
7. The developer shall dedicate right-of-way and construct two bus stop pads along northbound 7th Street at locations approved by the Public Transit Department. Bus stop pads shall be constructed according to City of Phoenix Standard Detail P1260 with a minimum depth of 10 feet. Trees shall be placed to provide 50% shade coverage to bus stop pads at full maturity.
8. The developer shall submit 7460 Forms to FAA and receive FAA no hazard determination or mitigations approved by FAA for both temporary (e.g., construction cranes) and permanent (e.g., structures) development, prior to final site plan approval as modified and approved by the Aviation and Planning and Development Departments.
9. The developer shall record a Notice to Prospective Purchasers of Proximity to Airport, as required by the State, prior to final site plan approval as modified and approved by the Aviation and Planning and Development Departments.
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.

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 20th day of January

2021.

Rodriguez

MAYOR



ATTEST:

Denise Archibald

Denise Archibald, City Clerk

01-26-2021

APPROVED AS TO FORM:

Cris Meyer, City Attorney

By: *David Benton*

David Benton, Chief Counsel

Pml

REVIEWED BY:

Ed Zuercher

Ed Zuercher, City Manager

Exhibits:

A – Legal Description (1 Page)

B – Ordinance Location Map (1 Page)

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EXHIBIT A

LEGAL DESCRIPTION FOR Z-58-20-2

A parcel of land lying within the west half of Section 9, Township 4 North, Range 3 East, of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

BEGINNING at the west quarter corner of said Section 9, a 3-inch Maricopa County Highway Department (MCHD) brass cap in handhole (BCH) 0.6' down no stamping, from which the northwest corner of said section, a 3-inch Maricopa County (MC) brass cap (BC) 0.2' up stamped T4N R3E S5 S4 S8 S9 LS 33307 2004, bears North 00°01'03" East (basis of bearing), a distance of 2638.84 feet;

THENCE along the west line of said section, North 00°01'03" East, a distance of 1319.42 feet, to the northwest corner of the south half of the northwest quarter of said section;

THENCE leaving said west line, along the north line of said south half, North 88°08'00" East, a distance of 2608.27 feet, to the northeast corner of the south half of the northwest quarter of said section;

THENCE leaving said north line, along the north-south mid-section line of said section, South 00°05'32" East, a distance of 1158.73 feet, to the centerline of Alameda Road per Arizona State Land Department (ASLD) right-of-way (R/W) Number 16-101308;

THENCE leaving said mid-section line, along said centerline, South 42°40'13" West, a distance of 45.60 feet;

THENCE South 46°06'51" West, a distance of 274.04 feet;

THENCE South 51°51'13" West, a distance of 203.20 feet;

THENCE South 53°46'53" West, a distance of 552.22 feet;

THENCE South 57°15'51" West, a distance of 219.92 feet;

THENCE South 67°23'20" West, a distance of 194.39 feet;

THENCE South 77°58'06" West, a distance of 124.90 feet;

THENCE South 87°07'06" West, a distance of 198.80 feet;

THENCE North 89°57'27" West, a distance of 1090.43 feet, to the west line of said section;

THENCE leaving said centerline, along said west line, North 00°00'47" East, a distance of 658.53 feet, to the POINT OF BEGINNING.

Containing 4,768,879 square feet or 109.4784 acres, more or less.

Subject to existing rights-of-way and easements.

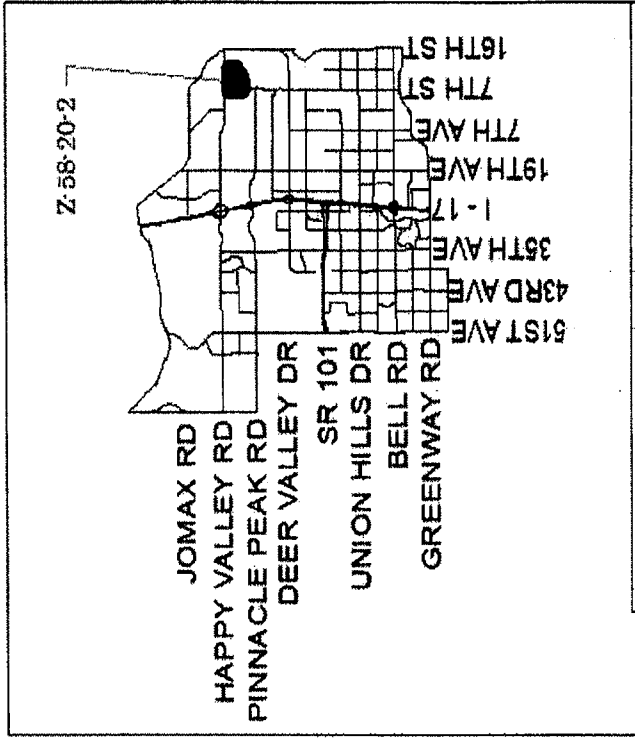
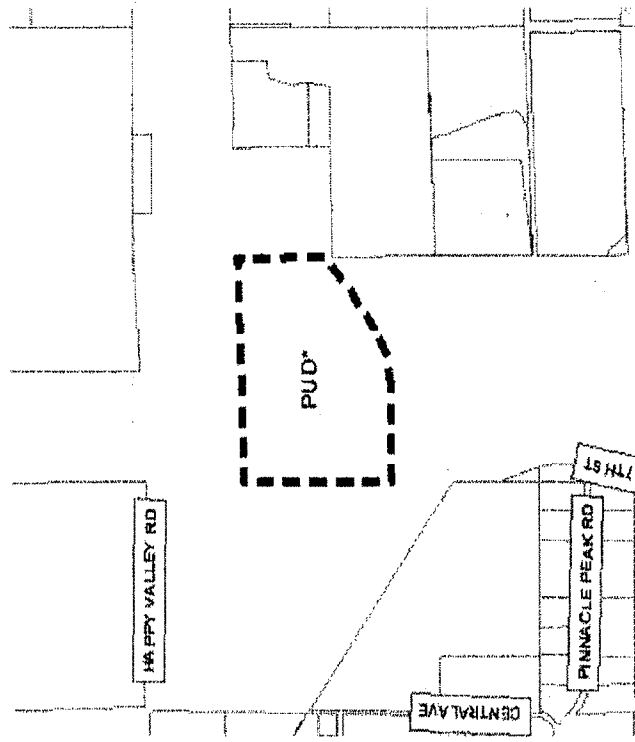
This Legal description was prepared without the benefit of survey fieldwork and is based on the Record of Survey of PLSS Subdivision Maricopa County Geodetic Densification and Cadastral Survey recorded in Book 704, page 32, Maricopa County Records and other client provided information. Any monumentation noted in this parcel description is based on said Record of Survey.

EXHIBIT B

ORDINANCE LOCATION MAP

Zoning Case Number: Z-58-20-2
Zoning Overlay: Deer Valley Airport Overlay District
Planning Village: Deer Valley

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



NOT TO SCALE

Drawn Date: 12/22/2020

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