



City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

January 8, 2018

Benjamin Graff
Aday Graff PC
200 East Camelback Road, Suite 221
Phoenix, Arizona 85016

Dear Applicant:

RE: Z-42-17-8 – Northwest corner of 30th Street and Broadway Road

Please be advised that the Phoenix City Council, in accordance with the provisions of Section 601 of the Zoning Ordinance, as amended, has on December 13, 2017, approved Zoning Ordinance # G-6391.

Development and use of the site is subject to compliance with all applicable codes and ordinances.

Sincerely,

Joshua Bednarek
Deputy Director

Attachment: Signed Ordinance

c: VWP SSF Broadway Industrial LP, 2390 E. Camelback Rd., #305, Phoenix, AZ 85016
File
Tricia Gomes, PDD–Planning–Special Projects Administrator (Electronically)
Racelle Escolar, PDD–Planning–Planner III (Electronically)
Teresa Hillner, PDD–Planning–Planner III (Electronically)
Lilia Olivarez, PDD–Planning–PC Secretary (Electronically)
Adam Stranieri, PDD–Planning–Village Planner (Electronically)
David Miller, PDD–GIS (Electronically)
Randy Weaver, PDD–Development (Electronically)
Penny Parrella, City Council (Electronically)

ORDINANCE G-6391

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-42-17-8) FROM CP/GCP RSIO (COMMERCE PARK / GENERAL COMMERCE PARK DISTRICT, RIO SALADO INTERIM OVERLAY DISTRICT) AND C-2 RSIO (INTERMEDIATE COMMERCIAL DISTRICT, RIO SALADO INTERIM OVERLAY DISTRICT) TO PUD RSIO (PLANNED UNIT DEVELOPMENT, RIO SALADO INTERIM OVERLAY DISTRICT).

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

SECTION 1. The zoning of an approximately 7.67 acre property located at the northwest corner of 30th Street and Broadway Road in a portion of Section 23, Township 1 North, Range 3 East, as described more specifically in Exhibit "A", is hereby changed from "CP/GCP RSIO" (Commerce Park / General Commerce Park District, Rio Salado Interim Overlay District) and "C-2 RSIO" (Intermediate Commercial District, Rio Salado Interim Overlay District), to "PUD RSIO" (Planned Unit Development, Rio Salado Interim 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".

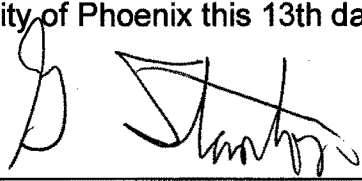
SECTION 3. Due to the site's specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1. An updated Development Narrative for the 2950 East Broadway Road 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 the Development Narrative date stamped September 18, 2017, as modified by the following stipulations:
 - a. Page 5, Land Use Plan, Land Use Categories, 1st sentence: Specify the acreage of the C-2 zoning area.
 - b. Page 5, Land Use Plan, Land Use Categories, 6th sentence: Update language to indicate that a survey and legal description will be submitted as a condition of final PUD approval.
 - c. Page 10, Development Standards: Revise the Development Standards language to specify conformance to the General Commerce Park option of the Commerce Park district as follows:
"The development standards shall comply with Section 507, Tab A and 626 (General Commerce Park Option) of the Phoenix Zoning Ordinance."
 - d. Page 9, Land Use Plan – Figure 1, Exhibit 8: Shall be updated and replaced with a new land use plan demonstrating specific areas that are dimensioned to reflect the updated legal description. Land Use Area C shall only apply to a portion of the building at the southern boundary that is currently zoned C-2 and is not to be extended further north.
 - e. Page 11, Landscaping: Delete the first sentence.
 - f. Page 56, Exhibit 5: Legal description shall be updated to reflect specific land use areas.
 - g. Page 10, Section F.3.B.II: Replace with the following: "C-2 uses as outlined in Section 623.D of the Phoenix Zoning Ordinance; except that the following land uses shall be prohibited: 1) Residential 2) Adult bookstore, Adult novelty store, Adult theatre, Adult live entertainment establishment, Erotic dance or performance studio 3) Car washing – indoor or outdoor 4) Nonprofit medical marijuana dispensary facility."

- h. Exhibit 4: Update north photograph elevations to reflect existing conditions.
- 2. 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.
- 3. 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.

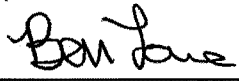
SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 13th day of December, 2017.



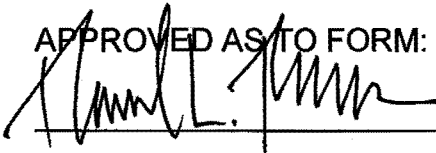
 MAYOR

ATTEST:

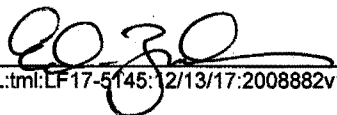

 _____ Acting City Clerk



APPROVED AS TO FORM:


 _____ Acting City Attorney *pml*

REVIEWED BY:


 _____ City Manager
PL:tml:LF17-5145:12/13/17:2008882v1

Exhibits:

- A – Legal Description (1 Page)
- B – Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR Z-42-17-8

PARCEL NO. 1:

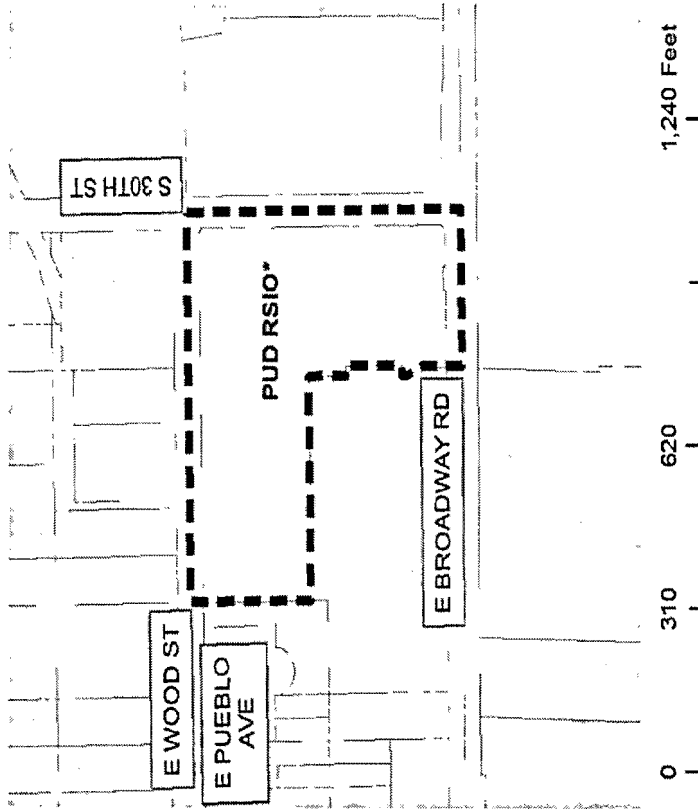
THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 1 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOT 1, OF BROADWAY CROSSING REPLAT, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED AS BOOK 519 OF MAPS, PAGE 31.

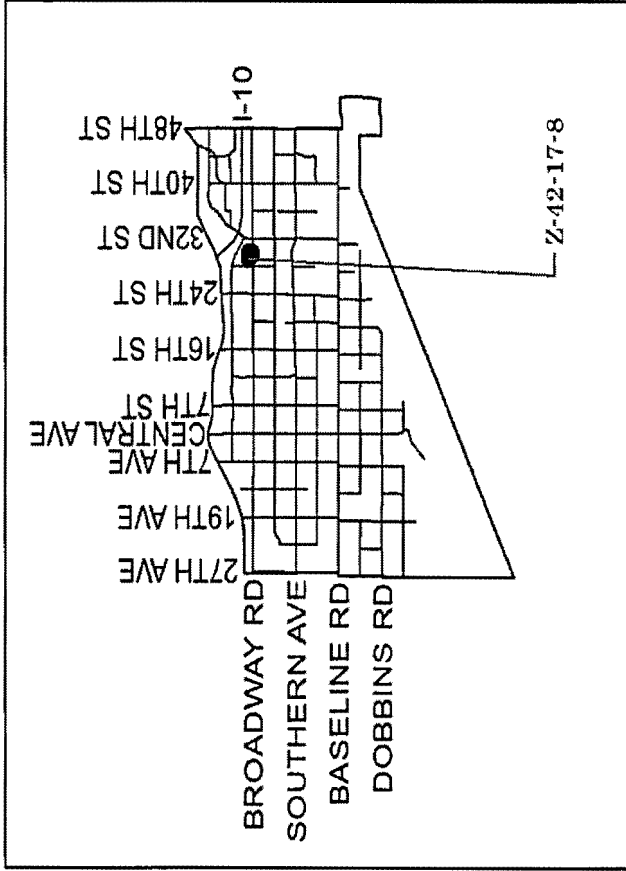
ORDINANCE LOCATION MAP

EXHIBIT B

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



Zoning Case Number: Z-42-17-8
Zoning Overlay: Rio Salado Interim Overlay District
Planning Village: South Mountain



Drawn Date: 11/1/2017

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