

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-17-17-4) FROM C-2 SAUMSO (INTERMEDIATE COMMERCIAL, SEVENTH AVENUE URBAN MAIN STREET OVERLAY DISTRICT) TO C-2 HGT/WVR SAUMSO (INTERMEDIATE COMMERCIAL, HEIGHT WAIVER, SEVENTH AVENUE URBAN MAIN STREET OVERLAY DISTRICT).

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

SECTION 1. The zoning of an approximately 1.00 acre property located approximately 130 feet east of the southeast corner of 7th Avenue and Turney Avenue in a portion of Section 20, Township 2 North, Range 3 East, as described more specifically in Exhibit "A", is hereby changed from "C-2 SAUMSO" (Intermediate Commercial, Seventh Avenue Urban Main Street Overlay District), to "C-2 HGT/WVR SAUMSO" (Intermediate Commercial, Height Waiver for up to 56 feet, Seventh Avenue Urban Main Street 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. The development shall have a maximum height of 56 feet.
2. The development shall be in general conformance to the site plan date stamped October 25, 2017 with specific regard to the following:
 - a. Pedestrian connection from the Turney Avenue sidewalk to the building entrance.
 - b. Maximum of one driveway on Turney Avenue.
3. The development shall be in general conformance to the elevations and renderings date stamped October 25, 2017 with specific regard to the following:
 - a. The curvature design of the entire height of the building for the portion that faces towards the northwest on the site
 - b. The windows on the ground level of the building on Turney Avenue and facing the parking area, as well as the multi-story windows incorporated as a part of the curvature portion of the building.
 - c. The vertical and horizontal articulations and mix of materials provided on the portions of the building without windows.
4. The development shall provide a minimum of two bicycle parking spaces with an inverted-U design located near the entrance of the building and installed per Section 1307.H.4., as approved by the Planning and Development Department.
5. Required trees in the Turney Avenue landscape setback shall be placed adjacent to the sidewalk in order to provide shade for pedestrians, as approved by the Planning and Development Department.

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.

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 7th day of February, 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-17-17-4

THE FOLLOWING DESCRIBED REAL PROPERTY SITUATE IN MARICOPA COUNTY, ARIZONA:

THE NORTH 170 FEET OF LOT 16, OF WOOLF TRACT, ACCORDING TO THE PLAT TO RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 2 OF MAPS, PAGE 32, LYING WITHIN SECTION 20, TOWNSHIP 2 NORTH, RANGE 3 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

EXCEPT THE WEST 106.8 FEET THEREOF AND

EXCEPT THE EAST 10 FEET THEREOF

SUBJECT TO: EXISTING TAXES, ASSESSMENTS, LIENS, ENCUMBRANCES, COVENANTS, CONDITIONS, RESTRICTIONS, RIGHTS OF WAY AND EASEMENTS OF RECORD.

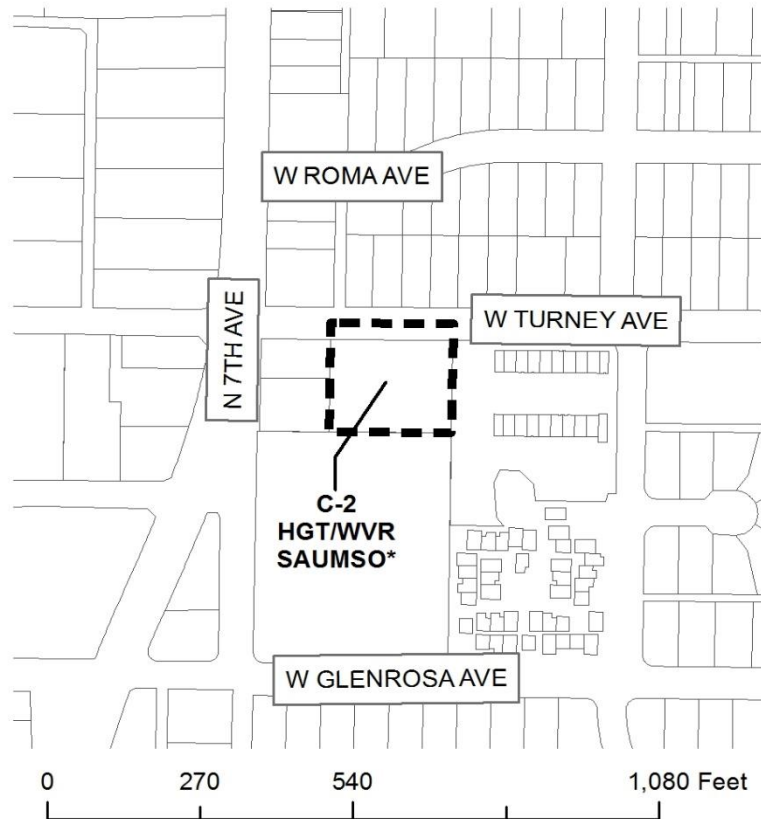
AND THE GRANTOR BINDS ITSELF AND ITS SUCCESSORS TO WARRANT TITLE AS AGAINST ITS ACTS AND NONE OTHER, SUBJECT TO THE MATTERS SET FORTH.

ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: ■ ■ ■ ■ ■

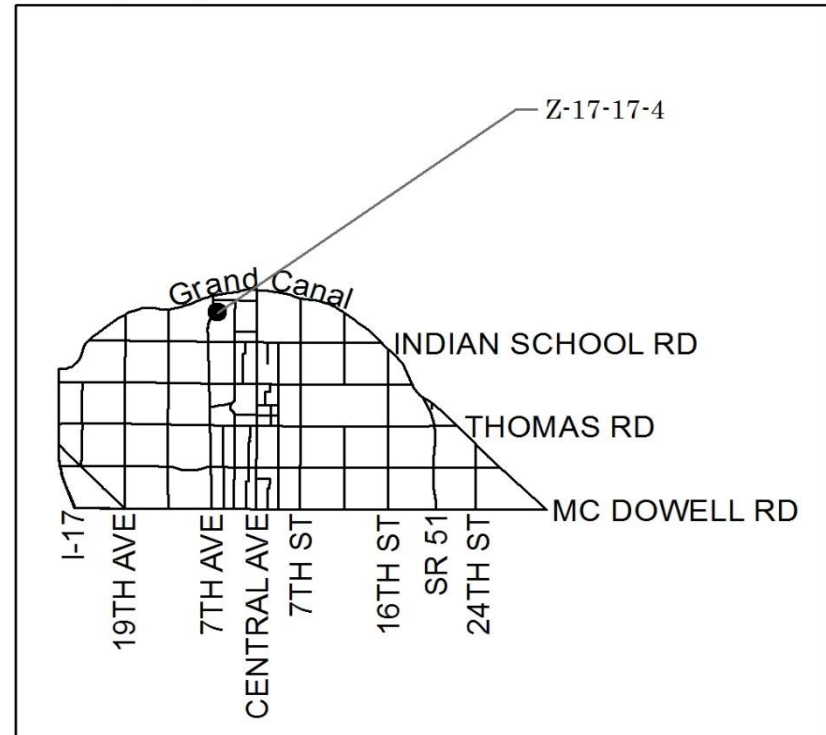


Zoning Case Number: Z-17-17-4

Zoning Overlay: TOD District - UpTown and

Seventh Avenue Urban Main Street Overlay District (SAUMSO)

Planning Village: Encanto



NOT TO SCALE



Drawn Date: 1/5/2018