

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-7-17-8) FROM C-1 (NEIGHBORHOOD COMMERCIAL) TO WU T5:5 EG (WALKABLE URBAN CODE EASTLAKE-GARFIELD TRANSIT ORIENTED DEVELOPMENT POLICY DISTRICT)

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

SECTION 1. The zoning of an approximately 2.84-acre property located approximately 260 feet south of the southeast corner of 20th Street and Roosevelt Street in a portion of Section 3, Township 1 North, Range 3 East, as described more specifically in Exhibit "A", is hereby changed from "C-1" (Neighborhood Commercial), to "WU T5:5 EG" (Walkable Urban Code Eastlake-Garfield Transit Oriented Development Policy 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. Driveways accessing the site from 20th Street shall be a wing type driveway (P-1255-1).
2. The development shall install, as approved by the Planning and Development Department:
 - a. a minimum of 35 secured bicycle parking spaces.
 - b. a minimum of 10 inverted-U style bicycle racks for guests, placed near entrances to the building and installed per the requirements of Section 1307.H.4. of the Zoning Ordinance.
3. The property owner shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence, and operational characteristics of Phoenix Sky Harbor International Airport to future owners or tenants of the property.
4. 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.
5. 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.
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.
7. The development shall comply with all ADA accessibility standards, as per plans approved by the Planning and Development Department.

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 June, 2017.

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-7-17-7

THE SOUTH 523.07 FEET OF THE FOLLOWING DESCRIBED PROPERTY:

THE WEST 170 FEET OF THAT PORTION OF LOT 9, SUBDIVISION OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 1 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASIN AND MERIDIAN, MARICOPA COUNTY, RECORDED IN BOOK 1 OF MAPS, PAGE 41, RECORDS OF MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 9;

THENCE SOUTH 89 DEGREES 27 MINUTES EAST, ALONG THE NORTH LINE OF SAID LOT 9, 354.52 FEET;

THENCE SOUTH 737.84 FEET TO A POINT ON THE CENTERLINE OF THE ABANDONED SALT RIVER VALLEY CANAL;

THENCE SOUTH 79 DEGREES 00 MINUTES WEST, ALONG SAID CENTER LINE, 238.94 FEET;

THENCE SOUTH 88 DEGREES 30 MINUTES WEST, CONTINUING ALONG SAID CENTER LINE, 119.99 FEET TO A POINT ON THE WEST LINE OF SAID LOT 9; THENCE NORTH, ALONG SAID WEST LINE OF LOT 9, 790.07 FEET TO THE POINT OF BEGINNING;

EXCEPT THE NORTH 33 FEET AS CONVEYED TO THE CITY OF PHOENIX, AN ARIZONA MUNICIPAL CORPORATION IN QUIT-CLAIM DEED RECORDED AUGUST 12, 1941 IN BOOK 361 OF DEEDS, PAGE 171, MARICOPA COUNTY RECORDS; AND

EXCEPT ALL MINERALS IN THAT PORTION OF SAID LAND LYING WITHIN THE BOUNDARIES OF THE ABANDONED SALT RIVER VALLEY CANAL, AS RESERVED TO THE UNITED STATES OF AMERICA IN PUBLIC LAW NO. 708 – 83RD CONGRESS, CHAPTER 1078 – 2ND SESSION, #.3187.

APN: 116-08-121E

ORDINANCE LOCATION MAP

EXHIBIT B

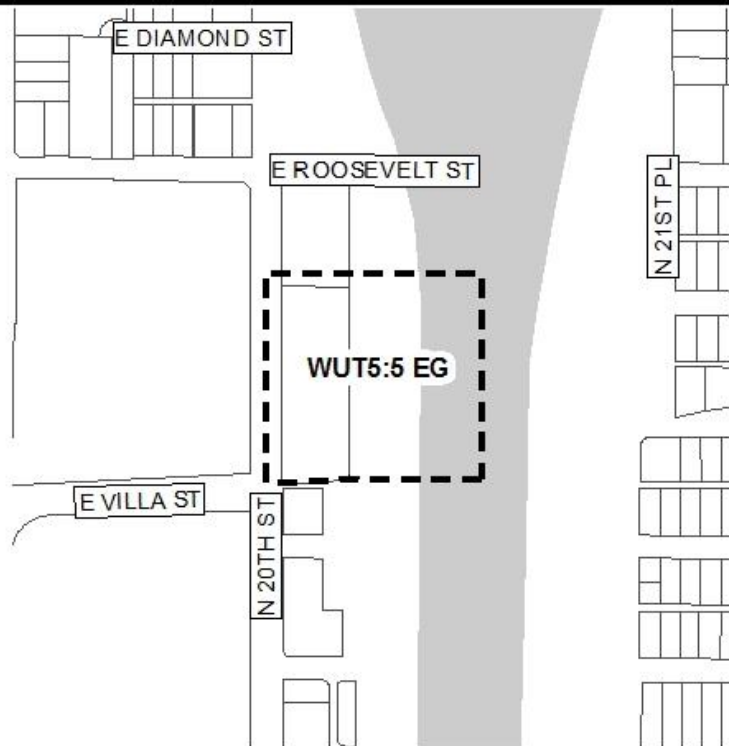
ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: ■ ■ ■ ■ ■

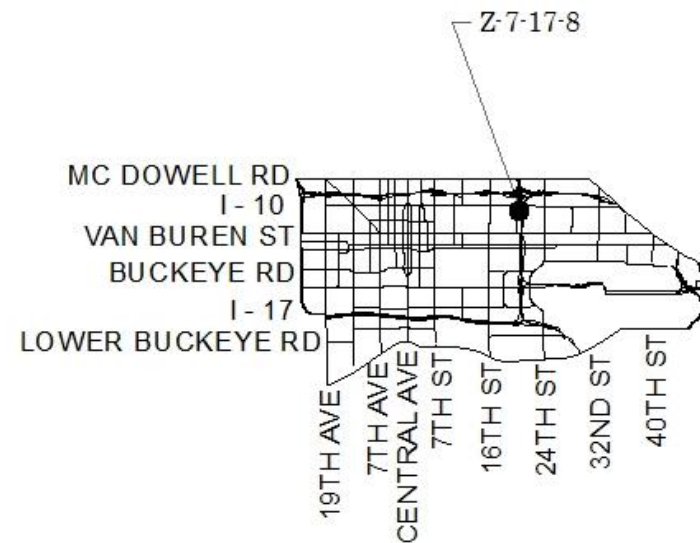
Zoning Case Number: Z-7-17-8

Zoning Overlay: N/A

Planning Village: Central Village



300 150 0 300 Feet



NOT TO SCALE



Drawn Date: 5/11/2017