

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 STIPULATIONS APPLICABLE TO
REZONING APPLICATION Z-23-18-8 PREVIOUSLY APPROVED BY
ORDINANCE G-6480.

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

SECTION 1. The zoning stipulations applicable located at the northeast corner of 16th Street and Polk Street in a portion of Section 3, Township 1 North, Range 3 East, as described more specifically in Attachment "A", are hereby modified to read as set forth below.

STIPULATIONS:

1. The conceptual elevations and site plan shall be administratively approved by the Planning Hearing Officer prior to preliminary site plan approval with specific regard to the inclusion of the below elements. This review is for conceptual purposes only. Specific development standards and requirements will be determined by the Planning and Development Department.
 - a. Pedestrian access to the site from 16th Street shall be provided in a manner which minimizes walking distances from bus stops and the signalized crossing at Villa Street.
 - b. Pedestrian access to the site from 16th Street shall connect to the primary entrance of the medical center building without crossing vehicular aisles.

- c. Fencing installed along the street frontages for security purposes shall be a minimum of 60% view fencing and shall incorporate artistic elements.
 - d. The medical clinic (primary building) shall be located adjacent to 16th Street, and the parking structure shall be located adjacent to 17th Street.
 - e. The surface parking area shall be designed with shaded pedestrian connections to the primary building.
 - f. All locations where vehicles cross sidewalks shall be designed to recognize the pedestrian environment. This can be accomplished through the use of differentiating paving materials, speed stops and/or pavement markers.
- 2. There shall be no more than one vehicular entrance from 16th Street.
 - 3. Driveways shall be no greater than 24 feet in width.
 - 4. A minimum of 50% of the required open space shall be located adjacent to the north property line and shall:
 - a. Be designed so that it can seamlessly appear to connect to the adjacent triangular parcel in the event that parcel is developed/improved as a community open space node.
 - b. Open space along the northern property line shall not be enclosed by security fencing for the medical clinic.
 - c. ~~On-site security shall be responsible for the policing of the publicly-accessible open space.~~
 - 5. ~~The required cross block access between 16th Street and 17th Street and Polk Street and Villa Street shall be located to accommodate the security needs of the Veterans Affairs Medical Clinic while still providing a clear, visible, and publicly accessible route between the two streets.~~
 - 5. Perimeter sidewalks on all street frontages shall be detached, shall not meander, and trees shall be planted on both sides. ~~To the extent possible, the developer should utilize bioswales for storm water capture on these frontages.~~
 - 6. The developer shall install, as approved by the Planning and Development Department:
 - a. A minimum of 10 inverted-U style bicycle racks for guests, placed near the building's primary entrance and installed per the requirements of Section 1307.H.4. of the Zoning Ordinance.

- b. A minimum of 41 secured bicycle parking spaces shall be provided on site.
- 7. The developer shall submit a Traffic Impact Study and comply with any required improvements for this development, as approved by the Street Transportation Department. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City. Contact the Street Transportation Department at 602-495-7129 to set up a meeting to discuss the requirements of the study.
- 8. 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.
- 9. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor International Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
- 10. The developer shall provide documentation to the City of Phoenix prior to final site plan approval that Form 7460-1 has been filed for the development and that the development received a "No Hazard Determination" from the FAA. If temporary equipment used during construction exceeds the height of the permanent structure a separate Form 7460-1 shall be submitted to the FAA and a "No Hazard Determination" obtained prior to the construction start date.
- 11. 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.
- 12. 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. 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.
- 13. 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.

14. The maximum building height for any stand-alone parking garage shall be
- ~~15.~~ limited to 68 feet.
15. Any stand-alone parking garage shall be entirely screened, as approved by
- ~~16.~~ the Planning and Development Department.
16. Any stand-alone parking garage shall receive Design Review Committee
- ~~17.~~ review and approval prior to preliminary site plan approval.

SECTION 2. Due to the site's specific physical conditions and the use district granted pursuant to Ordinance G-6480 this portion of the rezoning is now subject to the stipulations approved pursuant to Ordinance G-6480 and as modified in Section 1 of this Ordinance. Any violation of the stipulation is a violation of the City of Phoenix Zoning Ordinance. Building permits shall not be issued for the subject site until all the stipulations have been met.

SECTION 3. 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 26th day of January, 2022.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Cris Meyer, City Attorney

By:

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:

A - Legal Description (1 Page)

B - Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR PHO-1-21--Z-23-18-8

Parcel No. 2, as shown on Record of Survey for a Minor Land Division, according to Book 1546 of Maps, Page 40, records of Maricopa County, Arizona, located in a portion of the SW4 of Section 3, Township 1 North, Range 3 East of the G&SRB&M.

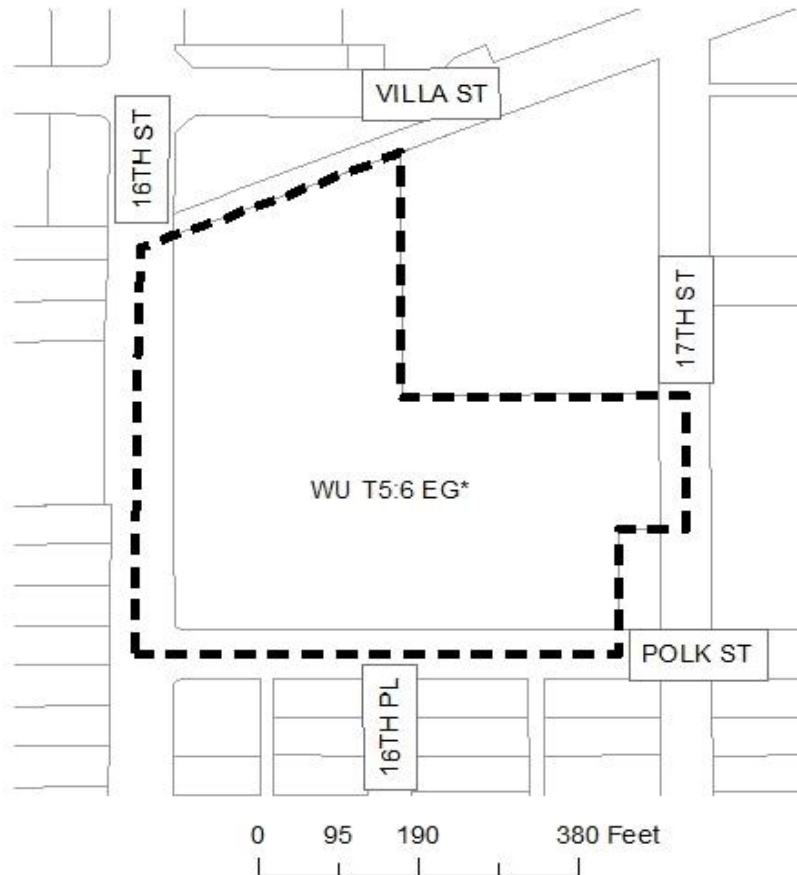
DRAFT

ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *

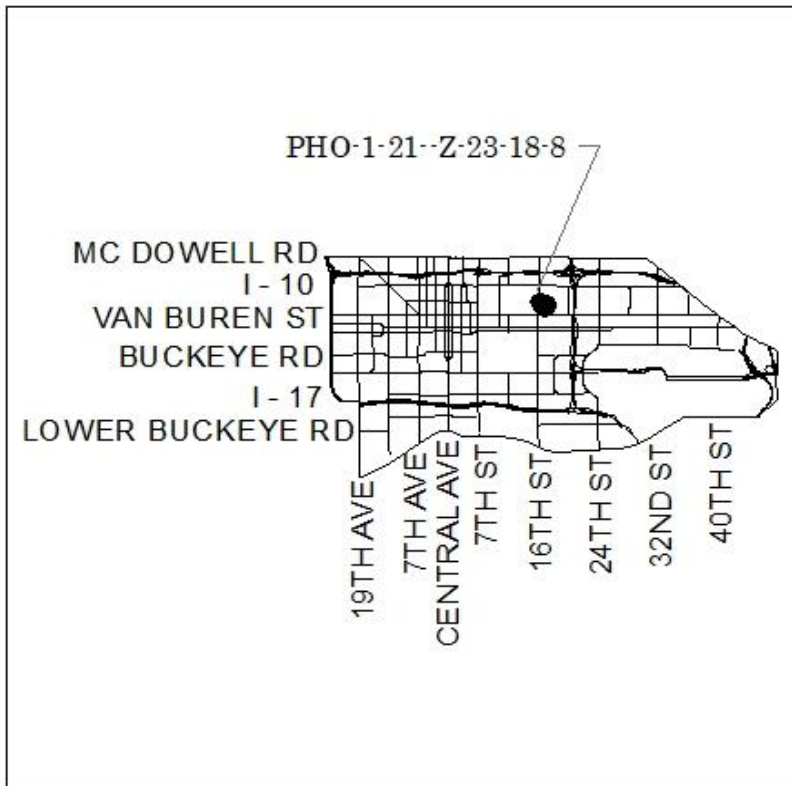
SUBJECT AREA: - - - - -



Zoning Case Number: PHO-1-21-Z-23-18-8

Zoning Overlay: N/A

Planning Village: Central City



NOT TO SCALE



Drawn Date: 12/29/2021