

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-65-18-8) FROM R-3 CCSIO (MULTIFAMILY RESIDENCE DISTRICT, CENTRAL CITY SOUTH INTERIM OVERLAY DISTRICT) TO C-2 CCSIO (INTERMEDIATE COMMERCIAL, CENTRAL CITY SOUTH INTERIM OVERLAY DISTRICT).

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

SECTION 1. The zoning of a 1.23-acre property located approximately 600 feet south of the southeast corner of 9th Avenue and Buckeye Road in a portion of Section 18, Township 1 North, Range 3 East, as described more specifically in Exhibit “A”, is hereby changed from “R-3 CCSIO” (Multifamily Residence District, Central City South Interim Overlay District) to “C-2 CCSIO” (Intermediate Commercial, Central City South 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. The developer shall replenish landscaping per the C-2 zoning district minimum standard for the landscape setback on the property's western boundary along 9th Avenue prior to the issuance of any tenant improvement permits for a C-2 use or building permits for any new buildings or additions, and all trees within the landscape setback shall be located adjacent to the sidewalk to provide thermal comfort for pedestrians, as approved by the Planning and Development Department.
2. A minimum of two inverted-U bicycle racks shall be provided on site and installed per the requirements of Section 1307.H of the Zoning Ordinance, as approved by the Planning and Development Department.
3. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor International Airport (PHX) 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.
4. 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.
5. 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.
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. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 Waiver of Claims in a form approved by the City Attorney's office. The waiver shall be recorded with the Maricopa County

Recorder's Office and delivered to the city to be included in the rezoning application file for record.

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 9th day of January, 2019.

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-65-18-8

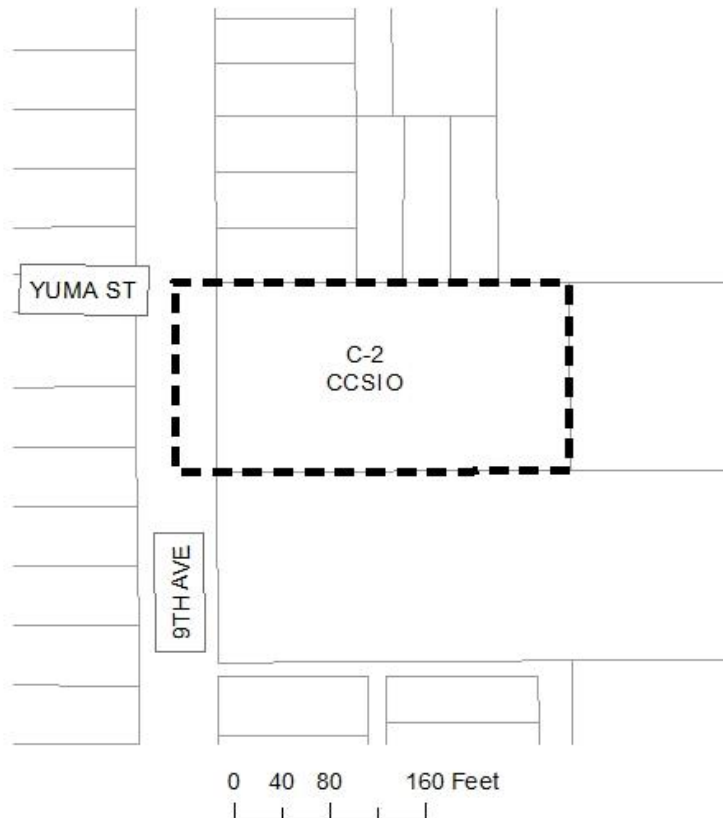
A portion of Section 18, Township 1 North, Range 3 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more specifically described as:
The west half of the north half of Lot 3, GREENSHAW'S SUBDIVISION, according to Book 1 of Maps, Page 1, records of Maricopa County, Arizona.

DRAFT

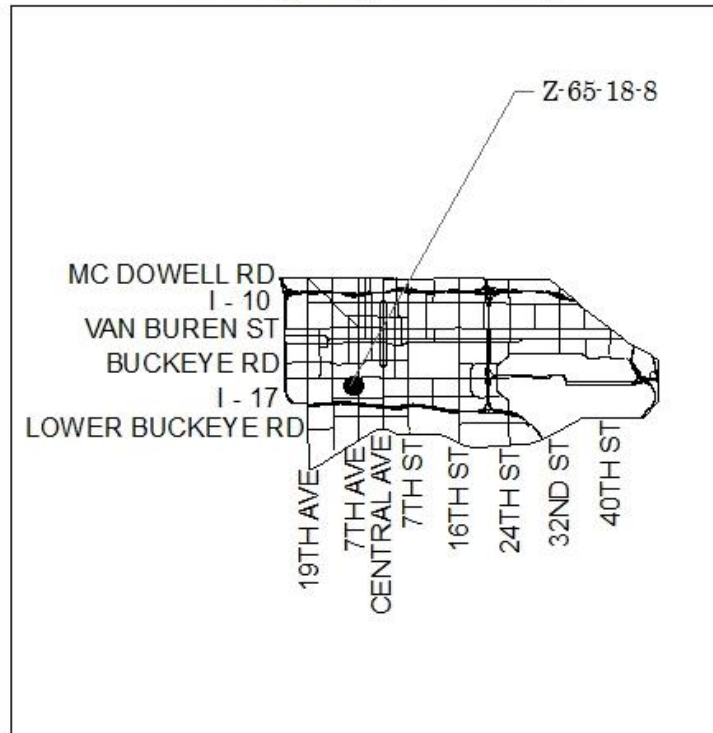
ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: ■ ■ ■ ■ ■



Zoning Case Number: Z-65-18-8
Zoning Overlay: Central City South Interim
Overlay District
Planning Village: Central City



NOT TO SCALE



Drawn Date: 12/14/2018