

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 Z-84-18-6 FROM R1-10 (SINGLE-FAMILY RESIDENCE DISTRICT) TO C-2 (INTERMEDIATE COMMERCIAL DISTRICT).

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

SECTION 1. The zoning of a 0.54 acre property located approximately 370 feet south and 330 feet west of the southwest corner of 7th Street and Maryland Avenue in a portion of Section 8, Township 2 North, Range 3 East, as described more specifically in Exhibit "A", is hereby changed from "R1-10" (Single-Family Residence District), to "C-2" (Intermediate Commercial 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 be in general conformance with the site plan date stamped January 16, 2019, with specific regard to the increased building and landscape setbacks along the western property boundary, and elevations date stamped November 21, 2018, as modified by the following stipulations and approved by the Planning and Development Department.
2. The developer shall provide minimum 3-inch caliper trees placed 20-feet on center, or in equivalent groupings, within the landscape setback adjacent to the western property line, as approved by the Planning and Development Department.
3. A minimum building setback of 113 feet shall be required along the west property line, as approved by the Planning and Development Department.
4. A minimum building setback of 40 feet shall be required along the north property line, as approved by the Planning and Development Department.
5. A minimum landscape setback of 31 feet shall be provided along the west property line, as approved by the Planning and Development Department.
6. A minimum landscape setback of 10 feet shall be provided along the north property line, as approved by the Planning and Development Department.
7. All exterior site lighting shall be fully shielded and directed away from adjacent residential properties, as approved by the Planning and Development Department.
8. 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.
9. 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 3rd day of April, 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 - Z-84-18-6

WITHIN A PORTION OF SECTION 8, TOWNSHIP 2 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PORTION OF LOT 2, BLOCK 1, ORANGEWOOD, ACCORDING TO BOOK TO OF MAPS, PAGE 50, RECORDS OF MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS;

PARCEL 1, A PORTION OF LOT 2, BLOCK 1 OF SAID ORANGEWOOD, BEING THE WEST 143.00 FEET OF THE FOLLOWING DESCRIBED PARCEL, BEGINNING AT A POINT 90.00 FEET NORTH OF AND 7.00 FEET WEST OF THE SOUTHEAST CORNER OF SAID LOT 2, THENCE NORTH 180.00 FEET, PARALLEL WITH AND 7.00 FEET WEST OF THE EAST LINE OF SAID LOT 2;

THENCE WEST 465.60 FEET; THENCE SOUTH 180 FEET;

THENCE EAST 465.63 FEET TO THE TRUE POINT OF BEGINNING;

TOGETHER WITH THE PARCEL DESCRIBED AS FOLLOWS;

PARCEL 2, A PORTION OF LOT 2, BLOCK 1 OF SAID ORANGEWOOD, BEING THE EAST 190.00 FEET OF THE WEST 333.00 FEET OF THE FOLLOWING DESCRIBED PARCEL,

BEGINNING AT A POINT 90.00 FEET NORTH OF AND 7.00 FEET WEST OF THE SOUTHEAST CORNER OF SAID LOT 2, THENCE NORTH 180.00 FEET, PARALLEL WITH AND 7.00 FEET WEST OF THE EAST LINE OF SAID LOT 2;

THENCE WEST 465.60 FEET; THENCE SOUTH 180.00 FEET;

THENCE EAST 465.63 FEET TO THE TRUE POINT OF BEGINNING;

TOGETHER WITH THE PARCEL DESCRIBED AS FOLLOWS;

PARCEL 3, A PORTION OF LOT 2, BLOCK 1 OF SAID ORANGEWOOD,

BEGINNING AT A POINT 90.00 FEET NORTH OF AND 7.00 FEET WEST OF THE SOUTHEAST CORNER OF SAID LOT 2, THENCE NORTH 180.00 FEET, PARALLEL WITH AND 7.00 FEET WEST OF THE EAST LINE OF SAID LOT 2;

THENCE WEST 465.60 FEET; THENCE SOUTH 180.00 FEET;

THENCE EAST 465.63 FEET TO THE TRUE POINT OF BEGINNING;

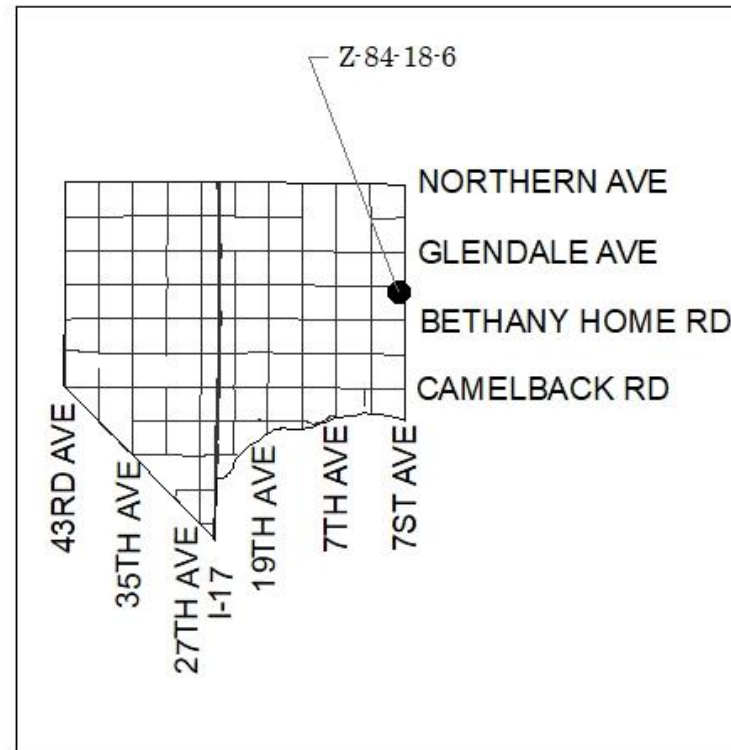
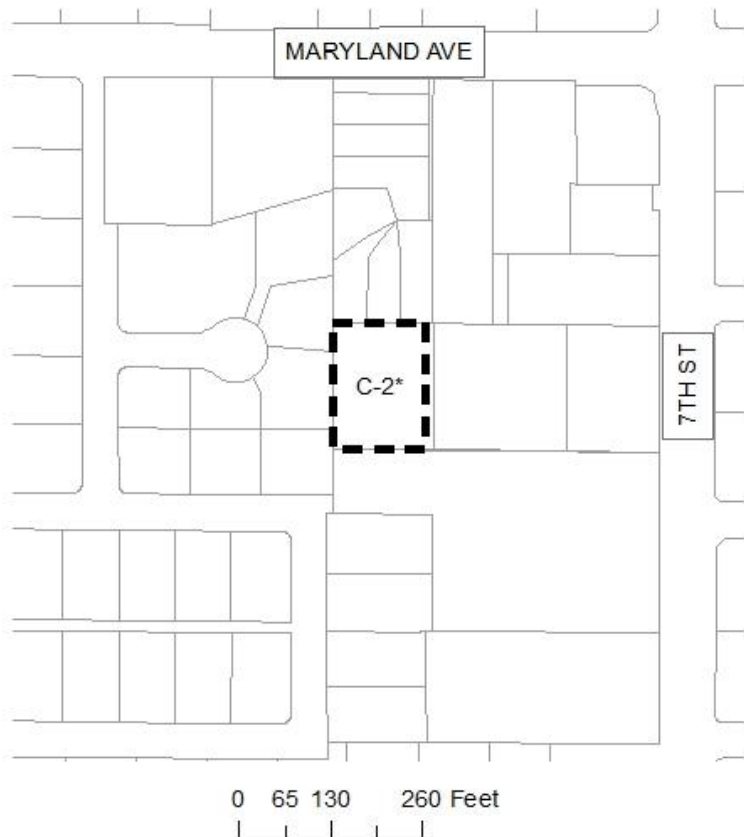
EXCEPTING THEREFROM THE WEST 333.00 FEET THEREOF.

ORDINANCE LOCATION MAP

EXHIBIT B

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

Zoning Case Number: Z 84 18 6
Zoning Overlay: N/A
Planning Village: Alhambra



NOT TO SCALE



Drawn Date: 3/5/2019