

**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-19-17-8) FROM C-2 (INTERMEDIATE COMMERCIAL DISTRICT) TOD-1 (INTERIM TRANSIT-ORIENTED ZONING OVERLAY DISTRICT) AND C-3 (GENERAL COMMERCIAL DISTRICT) TOD-1 (INTERIM TRANSIT-ORIENTED ZONING OVERLAY DISTRICT) TO WU T5:6 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 2.14-acre property located at the southwest corner of 14th Street and Monroe Street in a portion of Section 9, Township 1 North, Range 3 East, as described more specifically in Exhibit "A", is hereby changed from 1.90 acres of "C-2 TOD-1" (Intermediate Commercial District, Interim Transit-Oriented Zoning Overlay District) and 0.24 acres of "C-3 TOD-1" (General Commercial District, Interim Transit-Oriented Zoning Overlay District), to 2.14 acres of "WU T5:3 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. The building height shall be a maximum of 48 feet. If the following conditions are met, the maximum height shall be 72 feet. The conditions must be met prior to or in conjunction with the Final Site Plan Review.
  - a. A minimum of 50 percent of the housing units are dedicated for long-term affordability, as approved by the Phoenix Housing Department.
  - b. The applicant shall submit a copy of the draft Declaration of Affirmative Land use and Restrictive Covenants agreement (LURA), for review and approval by the Phoenix Housing Department.
  - c. The applicant shall submit a copy of the Proforma, for review and approval by the Phoenix Housing Department.
  - d. The applicant shall submit a copy of the Recorded Declaration of Affirmative Land use and Restrictive Covenants agreement (LURA), as approved by the State Housing Department.
2. All buildings or portions of buildings within 80 feet of the western property line that are adjacent to single-family residential use, shall be a maximum height of 40 feet, as approved by the Planning and Development Department.
3. The development shall provide a minimum of 0.25 secured bicycle parking spaces per residential units, and a minimum of four inverted U-bicycle racks for guests located near entrances to the property, installed per the requirements of Section 1307.H.4 of the Zoning Ordinance, as approved by the Planning and Development Department.
4. 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.
5. 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 (PHX) to future owners or tenants of the property.

6. The developer shall provide documentation to the City 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 Federal Aviation Administration (FAA). The Form should disclose any proposed radio transmission equipment. 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.
7. The developer shall grant and record an avigation easement to the City of Phoenix Aviation Department for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.

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 6th day of July, 2017.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

REVIEWED BY:

\_\_\_\_\_  
City Manager

Exhibits:

A – Legal Description (3 Pages)

B – Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-19-17-8

PARCEL NO. 1:

LOTS 3, 4, 22 THROUGH 24, INCLUSIVE, BLOCK 10, COLLINS ADDITION TO THE CITY OF PHOENIX, ACCORDING TO BOOK 1 OF MAPS, PAGE 11, RECORDS OF MARICOPA COUNTY, ARIZONA;

EXCEPT BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 4;

THENCE NORTHERLY, ALONG THE WEST LINE OF SAID LOT 4, TO THE NORTHWEST CORNER OF SAID LOT 4;

THENCE EASTERLY, ALONG SAID NORTH LINE, TO THE EAST LINE OF THE WEST 20 FEET OF SAID LOT 4;

THENCE SOUTHERLY, ALONG SAID EAST LINE, TO THE NORTH LINE OF THE SOUTH 60 FEET OF SAID LOT 4;

THENCE SOUTHEASTERLY TO THE INTERSECTION OF THE NORTH LINE OF THE SOUTH 20 FEET OF SAID LOT 4 WITH THE EAST LINE OF THE WEST 26 FEET;

THENCE SOUTHERLY, ALONG SAID EAST LINE, TO THE SOUTH LINE OF SAID LOT 4;

THENCE TO THE POINT OF BEGINNING; AND ALSO

EXCEPT THAT PART OF LOT 24, BOUNDED ON THE EAST BY THE EAST LINE OF SAID LOT, ON THE SOUTH BY THE SOUTH LINE OF SAID LOT 24, AND ON THE NORTHWEST BY THE ARC OF A CIRCULAR CURVE WHICH IS CONCAVE TO THE NORTHWEST, HAS A RADIUS OF 12 FEET AND IS TANGENT TO SAID EAST LINE AND TO SAID SOUTH LINE.

PARCEL NO. 2:

THE NORTH HALF OF THAT ABANDONED ALLEY SET FORTH IN CITY OF PHOENIX RESOLUTION NO. 17439, RECORDED IN RECORDING NO. 89-0140729 THAT LIES BETWEEN THE EAST LINE OF LOT 3

AND THE EAST LINE OF THE WEST 26 FEET OF LOT 4, BLOCK 10, COLLINS ADDITION TO THE CITY OF PHOENIX, ACCORDING TO BOOK 1 OF MAPS, PAGE 11, RECORDS OF MARICOPA COUNTY, ARIZONA.

PARCEL NO. 3:

THE SOUTH HALF OF THAT ABANDONED ALLEY AS SET FORTH IN CITY OF PHOENIX RESOLUTION NO. 17439, RECORDED IN RECORDING NO. 89-0140729, THAT LIES ADJACENT TO LOTS 22 THROUGH 24, INCLUSIVE, BLOCK 10, COLLINS ADDITION TO THE CITY OF PHOENIX, ACCORDING TO BOOK 1 OF MAPS, PAGE 11, RECORDS OF MARICOPA COUNTY, ARIZONA.

PARCEL NO. 4:

LOTS 1 AND 2, BLOCK 10, COLLINS ADDITION TO THE CITY OF PHOENIX, ACCORDING TO BOOK 1 OF MAPS, PAGE 11, RECORDS OF MARICOPA COUNTY, ARIZONA; EXCEPT THAT PART OF LOT 1, BOUNDED ON THE NORTH BY THE NORTH LINE OF SAID LOT; ON THE EAST BY THE EAST LINE OF SAID LOT 1 AND ON THE SOUTHWEST BY THE ARC OF A CIRCULAR CURVE THAT IS CONCAVE TO THE SOUTHWEST, HAS A RADIUS OF 12 FEET AND IS TANGENT TO SAID NORTH LINE AND TO SAID EAST LINE.

PARCEL NO. 5:

THE NORTH HALF OF THAT ABANDONED ALLEY SET FORTH IN CITY OF PHOENIX RESOLUTION NO. 17439, RECORDED IN RECORDING NO. 89-0140729 THAT LIES ADJACENT TO LOTS 1 AND 2, BLOCK 10, COLLINS ADDITION TO THE CITY OF PHOENIX, ACCORDING TO BOOK 1 OF MAPS, PAGE 11, RECORDS OF MARICOPA COUNTY, ARIZONA.

PARCEL NO. 6:

LOT 21, BLOCK 10, COLLINS ADDITION TO THE CITY OF PHOENIX, ACCORDING TO BOOK 1 OF MAPS, PAGE 11, RECORDS OF MARICOPA COUNTY, ARIZONA.

PARCEL NO. 7:

THAT PORTION OF THE ABANDONED ALLEY LYING NORTH OF AND ADJACENT TO LOT 21, BLOCK 10,

COLLINS ADDITION TO THE CITY OF PHOENIX, ACCORDING TO BOOK 1 OF  
MAPS, PAGE 11, RECORDS  
OF MARICOPA COUNTY, ARIZONA, AS ABANDONED BY RESOLUTION  
RECORDED IN RECORDING NO.  
89-0140729.

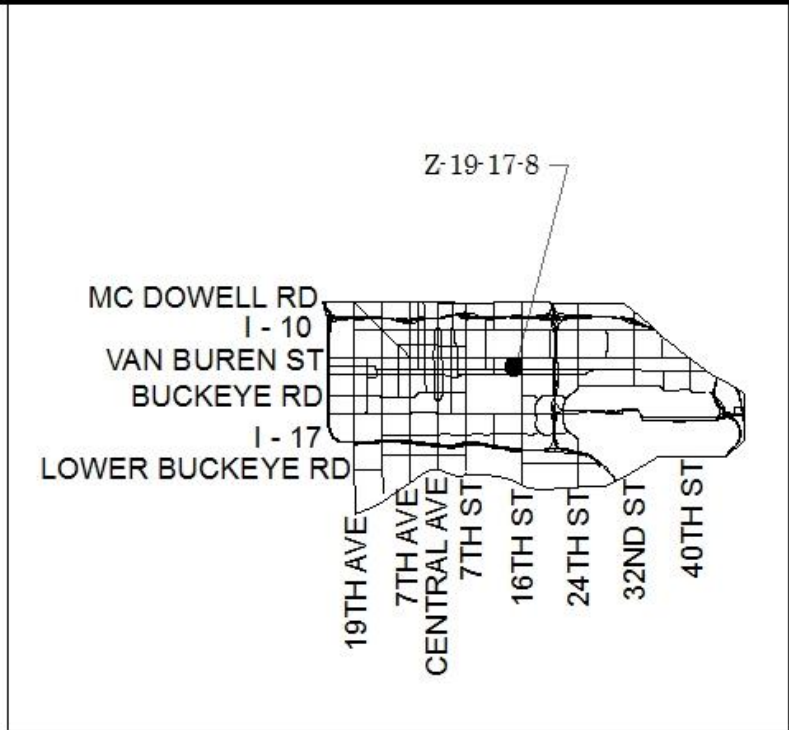
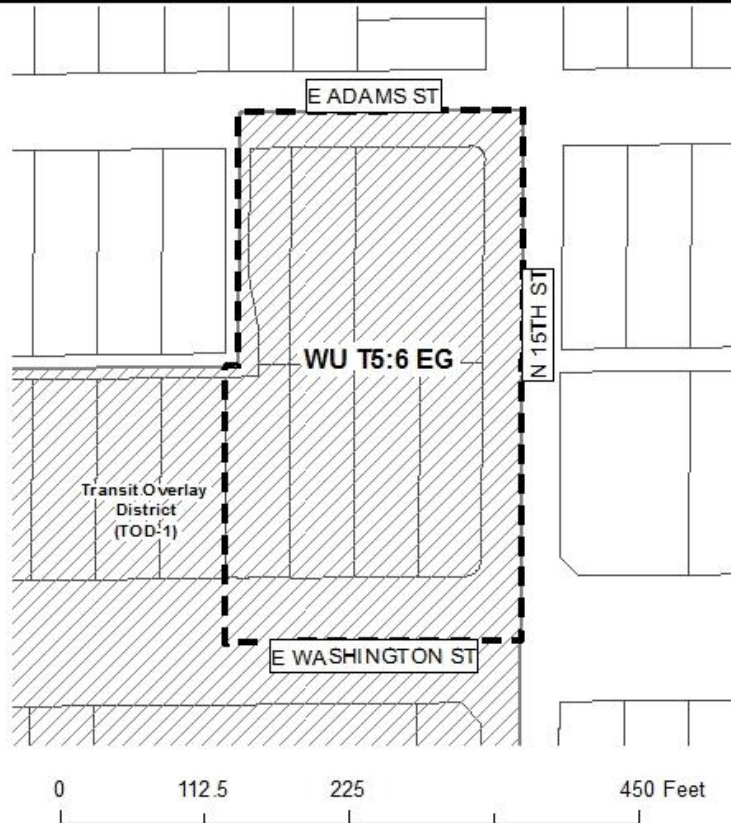
DRAFT

# ORDINANCE LOCATION MAP

EXHIBIT B

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

Zoning Case Number: Z-19-17-8  
Zoning Overlay: Transit Overlay District (TOD-1)  
Planning Village: Central City



Drawn Date: 6/7/2017