

**THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL,
ADOPTED ORDINANCE**

ORDINANCE G-

AN ORDINANCE AMENDING THE CODE OF THE CITY OF PHOENIX, ARIZONA, PART II, CHAPTER 41, THE ZONING ORDINANCE OF THE CITY OF PHOENIX, BY AMENDING SECTION 601, THE ZONING MAP OF THE CITY OF PHOENIX, CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE 68-16-7) FROM R-5 RI CMOD (MULTIFAMILY RESIDENCE RESIDENTIAL INFILL CAPITOL MALL OVERLAY DISTRICT) and R-5 RI HP CMOD (MULTIFAMILY RESIDENCE RESIDENTIAL INFILL HISTORIC PRESERVATION CAPITOL MALL OVERLAY DISTRICT), TO DTC – VAN BUREN (DOWNTOWN CODE VAN BUREN CHARACTER AREA) AND DTC – VAN BUREN HP (DOWNTOWN CODE VAN BUREN CHARACTER AREA HISTORIC PRESERVATION).

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

SECTION 1: The zoning of an approximately 1.29 acre property located at the southwest corner of 9th Avenue and Woodland Avenue in a portion of Section 6, Township 1N, Range 3E, as described more specifically in Attachment “A”, is hereby changed from “R-5 RI CMOD” (Multifamily Residence Residential Infill Capitol Mall Overlay District) and “R-5 RI HP CMOD” (Multifamily Residence Residential Infill Historic Preservation Capitol Mall Overlay District) to “DTC – Van Buren” (Downtown Code Van Buren Character Area) and “DTC – Van Buren HP” (Downtown Code Van Buren Character Area Historic Preservation).

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 Attachment “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 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.
2. 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.
3. 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 1st day of March, 2017.

MAYOR

ATTEST:

_____ City Clerk

APPROVED AS TO FORM:

_____ City Attorney

REVIEWED BY:

_____ City Manager

Attachments:

A - Legal Description (1 Page)

B – Ordinance Location Map (1 Page)

ATTACHMENT A

LEGAL DESCRIPTION FOR Z-68-16-7

A portion of the northeast quarter of Section 7, Township 1 North, Range 3 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

LOT 1, BLOCK 2, OF BEAHR'S ADDITION TO THE CITY OF PHOENIX, ACCORDING TO THE PLAT OF RECORDS IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 2 OF MAPS, PAGE 61; EXCEPT THE SOUTH 44.5 FEET.

ORDINANCE LOCATION MAP

EXHIBIT B

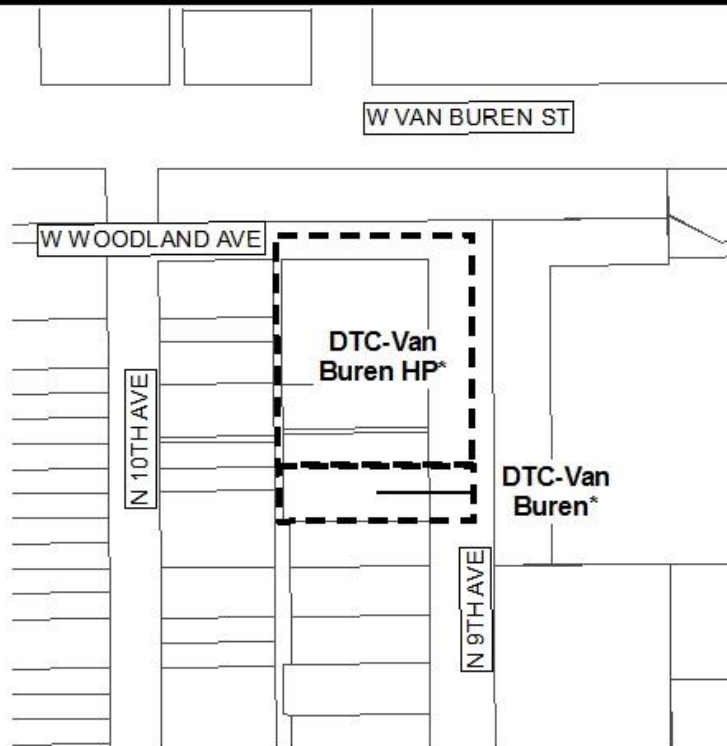
ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: ■ ■ ■ ■ ■

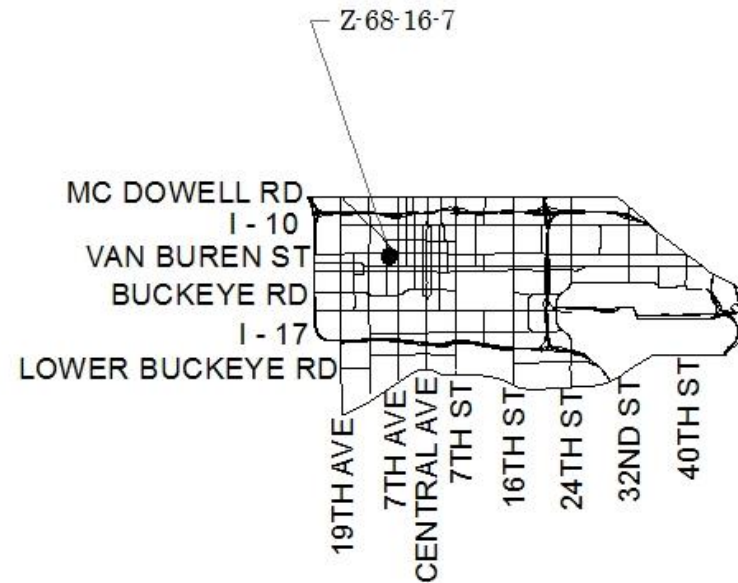
Zoning Case Number: Z-68-16-7

Zoning Overlay: N/A

Planning Village: Central City



150 75 0 150 Feet



NOT TO SCALE



Drawn Date: 1/6/2017