

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-93-16-7) FROM R-4 SPVTABDO (MULTIFAMILY RESIDENCE DISTRICT, SOUTH PHOENIX VILLAGE TARGET AREA B DESIGN OVERLAY) TO C-2 SPVTABDO (INTERMEDIATE COMMERCIAL, SOUTH PHOENIX TARGET AREA B DESIGN OVERLAY).

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

SECTION 1. The zoning of approximately 1.28 acres consisting of property located approximately 470 feet north of the northwest corner of 2nd Street and Sunland Avenue in a portion of Section 29, Township 1 North, Range 3 East, as described more specifically in Exhibit "A", is hereby changed from "R-4 SPVTABDO" (Multifamily Residence District, South Phoenix Village Target Area B Design Overlay), to "C-2 SPVTABDO" (Intermediate Commercial, South Phoenix Village Target Area B Design Overlay).

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 limited to a maximum of one bay or loading dock, as approved by the Planning and Development Department.
2. All elevations of the building shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, variation in window size and location, and/or other overhang canopies, as approved by the Planning and Development Department.
3. The north and south landscape setbacks shall be planted with a minimum 50% 2-inch caliper trees and a minimum 50% 3-inch caliper trees planted 20-feet on center or equivalent groupings with a minimum of five 5-gallon shrubs per tree, as approved by the Planning and Development Department.
4. On-site lighting shall not exceed a maximum of six feet in height within twenty feet of a residential district zoning line as approved by the Planning and Development Department.

STREET TRANSPORTATION

5. The developer shall dedicate right-of-way totaling 25-feet for the west half of 2nd Street, as approved by the Planning and Development Department. Half-street improvements shall include construction of 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 and Street Transportation Departments. All improvements shall comply with all ADA accessibility standards.
6. Vehicular access to and from 2nd Street shall be limited to passenger vehicles only until the point that 2nd Street is fully improved between the north side of the site and Sunland Avenue.

ARCHAEOLOGY

7. The developer shall conduct archaeological monitoring and/or testing within all areas of the development that lie within 250 feet of the plotted boundary of the archaeological site of Pueblo Viejo prior to clearing and grubbing, landscape salvage, and/or grading, as approved or modified by the City of Phoenix Archaeologist. Depending upon the extent of ground disturbance, the City of Phoenix Archaeology Office recommends archaeological monitoring and/or testing for this project. Additional monitoring and/or archaeological data recovery excavations may be necessary based upon the results of the initial work. A

qualified archaeologist must make this determination in consultation with the City of Phoenix Archaeologist.

AVIATION

8. The property owner shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence, and operational characteristics of City 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.
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 6th day of July, 2017.

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)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-93-16-7

The East 338 feet of the following described parcel:

The North half of the North half of the Southwest quarter of the Northwest quarter of the Southeast quarter of Section 29, Township 1 North, Range 3 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

EXCEPT the South 82.5 feet of the West 99 feet; and

EXCEPT that part lying westerly of a line parallel with and 46 feet easterly of the monument line of Central Avenue; and

EXCEPT that part lying within Central Avenue according to Book 84 of Deeds, page 123, records of Maricopa County, Arizona.

Containing 1.28 acres

ORDINANCE LOCATION MAP

EXHIBIT B

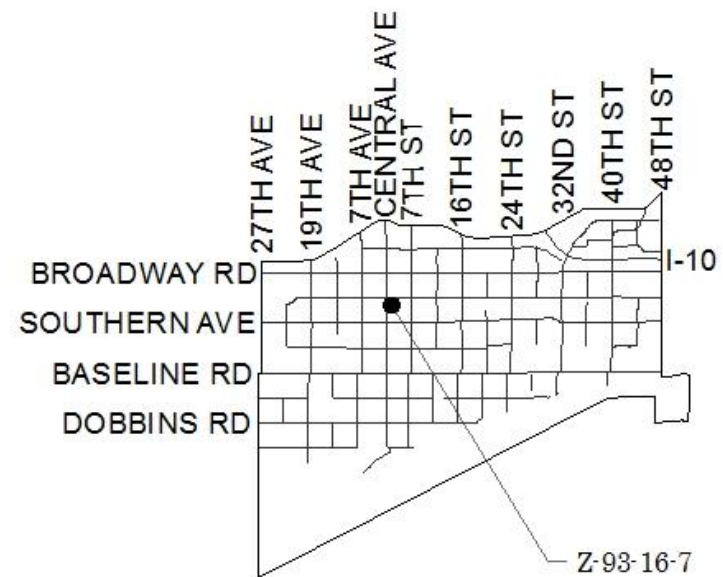
ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: ■ ■ ■ ■ ■

Zoning Case Number: Z-93-16-7

Zoning Overlay: South Phoenix Village
and Target Area B Design Overlay Distr

Planning Village: South Mountain



NOT TO SCALE



Drawn Date: 6/7/2017