

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-17-19-5) FROM C-2 (INTERMEDIATE COMMERCIAL DISTRICT) AND R-5 (MULTIFAMILY 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 4.57-acre property located at the northeast corner of 19th Avenue and Maryland Avenue, in a portion of Section 7, Township 2 North, Range 3 East, as described more specifically in Exhibit "A", is hereby changed from "C-2" (Intermediate Commercial District) and "R-5" (Multifamily Residence District) to "C-2" (Intermediate Commercial District) to allow an outpatient surgical center.

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. A pedestrian path, constructed of decorative pavers, stamped or colored concrete, or another material, other than those used to pave the parking surfaces and drive aisles, shall be provided on the property from 19th Avenue to a building entrance, as approved by the Planning and Development Department.
2. A minimum of 50% of all on-site pedestrian paths shall be shaded by a structure or common landscape element as approved by the Planning and Development Department.
3. The developer shall provide landscaping along parking areas fronting 19th Avenue, as approved by the Planning and Development Department. The landscaping shall fully screen the parking area from view at maturity.
4. A minimum of 75% of the sidewalk along 19th Avenue and Maryland Avenue shall be shaded at tree maturity per the requirements of Section 1304.F.1 in the Zoning Ordinance, as approved by the Planning and Development Department.
5. All elevations of the buildings shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, variation in window size and location, and/or overhang canopies, as approved by the Planning and Development Department.
6. A minimum of 5 inverted-U bicycle racks for guests or employees 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.
7. The developer shall dedicate right-of-way and reconstruct the bus stop pad on northbound 19th Avenue north of Maryland Avenue. The bus stop pad shall be constructed in accordance with City of Phoenix Standard Detail P1260. The bus stop pad shall be spaced from the intersection of 19th Avenue and Maryland Avenue as per City of Phoenix Standard Detail P1258.
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.

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 July, 2019.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

REVIEWED BY:

City Manager

Exhibits:

A – Legal Description (3 Page)

B – Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION – Z-17-19-5

PARCEL NO. 1:

PART OF THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 7;

THENCE SOUTH 88 DEGREES 29 MINUTES 30 SECONDS EAST ALONG THE SOUTH LINE THEREOF, 453.77 FEET;

THENCE NORTH 00 DEGREES 50 MINUTES 00 SECONDS EAST, PARALLEL TO THE WEST LINE OF SECTION 7, 33.00 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 88 DEGREES 29 MINUTES 30 SECONDS WEST 399.77 FEET;

THENCE NORTH 43 DEGREES 49 MINUTES 45 SECONDS WEST 19.92 FEET;

THENCE NORTH 00 DEGREES 50 MINUTES 00 SECONDS EAST 86.39 FEET;

THENCE SOUTH 88 DEGREES 29 MINUTES 30 SECONDS EAST 246.00 FEET;

THENCE NORTH 00 DEGREES 50 MINUTES 00 SECONDS EAST 25.62 FEET;

THENCE SOUTH 88 DEGREES 29 MINUTES 30 SECONDS EAST 72. 76 FEET;

THENCE NORTH 00 DEGREES 50 MINUTES 00 SECONDS EAST 17.00 FEET;

THENCE SOUTH 88 DEGREES 29 MINUTES 30 SECONDS EAST 95.01 FEET;

THENCE SOUTH 00 DEGREES 50 MINUTES 00 SECONDS WEST 143.01 FEET BACK OF THE TRUE POINT OF BEGINNING.

EXCEPT THE PORTION CONVEYED TO CITY OF PHOENIX A MUNICIPAL CORPORATION OF THE STATE OF ARIZONA RECORDED AS 2009-848279 OF OFFICIAL RECORDS AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PORTION OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 2 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 7;

THENCE NORTH 00 DEGREES 31 MINUTES 54 SECONDS EAST FOR A DISTANCE OF 46.62 FEET ALONG THE WEST LINE OF SAID NORTHWEST QUARTER OF SECTION 7 (19TH AVENUE);

THENCE SOUTH 89 DEGREES 28 MINUTES 06 SECONDS EAST FOR A DISTANCE OF 40.00 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 00 DEGREES 31 MINUTES 54 SECONDS EAST FOR A DISTANCE OF 11.84 FEET TO AN ANGLE POINT;

THENCE SOUTH 43 DEGREES 47 MINUTES 05 SECONDS EAST FOR A DISTANCE OF 36.55 FEET TO AN ANGLE POINT; THENCE NORTH 88 DEGREES 47 MINUTES 40 SECONDS WEST FOR A DISTANCE OF 11.53 FEET TO AN ANGLE POINT;

THENCE NORTH 44 DEGREES 07 MINUTES 21 SECONDS WEST FOR A DISTANCE OF 19.94 FEET, BACK TO THE TRUE POINT OF BEGINNING;

PARCEL NO. 2:

A PORTION OF THE NORTHWEST QUARTER OF SECTION SEVEN (7), TOWNSHIP TWO (2) NORTH, RANGE THREE (3) EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 7;

THENCE SOUTH 88 DEGREES 29 MINUTES 30 SECONDS EAST 453.77 FEET;

THENCE NORTH 00 DEGREES 50 MINUTES 00 SECONDS EAST 176.01 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 88 DEGREES 29 MINUTES 30 SECONDS WEST 95.01 FEET;

THENCE SOUTH 00 DEGREES 50 MINUTES 00 SECONDS WEST 17.00 FEET;

THENCE NORTH 88 DEGREES 29 MINUTES 30 SECONDS WEST 72.76 FEET;

THENCE NORTH 00 DEGREES 50 MINUTES 00 SECONDS EAST 130.38 FEET;

THENCE SOUTH 88 DEGREES 29 MINUTES 30 SECONDS EAST 103.00 FEET;

THENCE NORTH 00 DEGREES 50 MINUTES 00 SECONDS EAST 80.00 FEET;

THENCE SOUTH 88 DEGREES 29 MINUTES 30 SECONDS EAST 64.77 FEET;

THENCE SOUTH 00 DEGREES 50 MINUTES 00 SECONDS WEST 193.38 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL NO. 3:

A PORTION OF THE NORTHWEST QUARTER OF SECTION SEVEN (7), TOWNSHIP TWO (2) NORTH, RANGE THREE (3) EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 7;

THENCE SOUTH 88 DEGREES 29 MINUTES 30 SECONDS EAST 453.77 FEET;

THENCE NORTH 00 DEGREES 50 MINUTES 00 SECONDS EAST 369.39 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 88 DEGREES 29 MINUTES 30 SECONDS WEST 64.77 FEET;

THENCE SOUTH 00 DEGREES 50 MINUTES 00 SECONDS WEST 80.00 FEET;

THENCE NORTH 88 DEGREES 29 MINUTES 30 SECONDS WEST 103.00 FEET;

THENCE SOUTH 00 DEGREES 50 MINUTES 00 SECONDS WEST 156.00 FEET;

THENCE NORTH 88 DEGREES 29 MINUTES 30 SECONDS WEST 246.00 FEET;

THENCE NORTH 00 DEGREES 50 MINUTES 00 SECONDS EAST 296.00 FEET;

THENCE SOUTH 88 DEGREES 29 MINUTES 30 SECONDS EAST 413.77 FEET;

THENCE SOUTH 00 DEGREES 50 MINUTES 00 SECONDS WEST 60.00 FEET BACK TO THE TRUE POINT OF BEGINNING.

ORDINANCE LOCATION MAP

EXHIBIT B

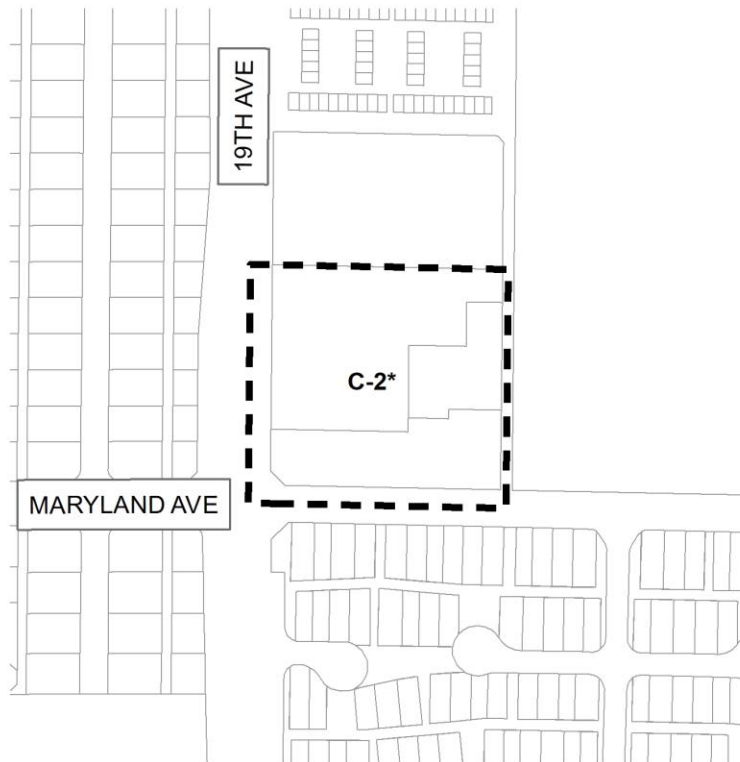
ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: ■ ■ ■ ■ ■

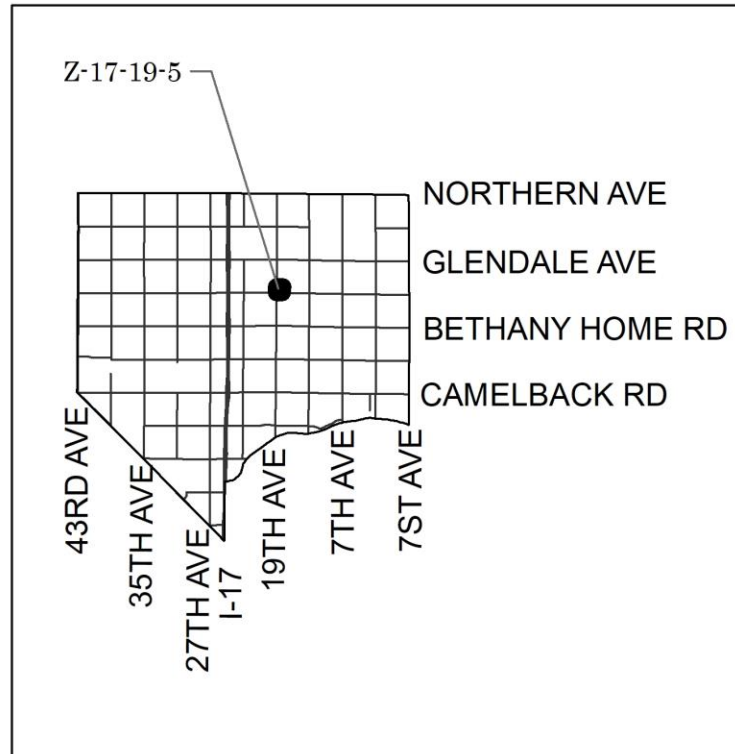
Zoning Case Number: Z-17-19-5

Zoning Overlay: N/A

Planning Village: Alhambra



0 87.5 175 350 Feet



NOT TO SCALE



Drawn Date: 6/5/2019