

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 ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-131-24-8) FROM WU CODE T4:3 EG (WALKABLE URBAN CODE, TRANSECT 4:3 DISTRICT, TRANSIT EASTLAKE-GARFIELD CHARACTER AREA) TO WU CODE T5:5 EG (WALKABLE URBAN CODE, TRANSECT 5:5 DISTRICT, TRANSIT EASTLAKE-GARFIELD CHARACTER AREA).

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

SECTION 1. The zoning of a 1.57-acre site located at the northeast corner of 18th Street and Villa Street in a portion of Section 3, Township 1 North, Range 3 East, as described more specifically in Exhibit "A," is hereby changed from "WU Code T4:3 EG" (Walkable Urban Code, Transect 4:3 District, Transit Eastlake-Garfield Character Area) to "WU Code T5:5 EG" (Walkable Urban Code, Transect 5:5 District, Transit Eastlake-Garfield Character Area).

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 minimum 30 feet of right-of-way shall be dedicated and constructed for the east side of 18th Street.
2. A minimum 30 feet of right-of-way shall be dedicated and constructed for the south side of McKinley Street.
3. A minimum 5-foot-wide detached sidewalk separated by a minimum 5-foot-wide landscape area shall be constructed on the east side of 18th Street and the north side of Villa Street adjacent to the development, or as otherwise approved by the Street Transportation Department.
4. Replace unused driveways with sidewalk, curb, and gutter. Also, replace any broken or out-of-grade curb, gutter, sidewalk, and curb ramps on all streets and upgrade all off-site improvements to be in compliance with current ADA guidelines.
5. All streets within and adjacent to the development shall be constructed with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
6. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
7. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.

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 final site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. 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. This stipulation shall not be applicable if the property is owned by the City of Phoenix.

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 15th day of January, 2025.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Julie M. Kriegh, City Attorney

By:

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:

A – Legal Description (1 Page)

B – Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-131-24-8

A parcel of land located within a portion of the southwest quarter of Section 3, Township 1 North, Range 3 East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

Commencing at the West Quarter Corner of Section 3, Township 1 North, Range 3 East, of the Gila and Salt River Base and Meridian;

Thence South 89 degrees 28 minutes 23 seconds East, a distance of 1316.65 feet, along the North line of the southwest quarter of said Section 3 and the centerline of Roosevelt Street, to the intersection with the centerline of 18th street;

Thence leaving said North line and said centerline of Roosevelt Street, South 00 degrees 15 minutes 40 seconds West, along said centerline of 18th street, a distance of 983.16 feet, to a point;

Thence South 89 degrees 44 minutes 20 seconds East, a distance of 26.00 feet, to a point on the East right-of-way line of said 18th Street and the Point of Beginning;

Thence North 00°15'40" East, A distance of 288.31 feet, along said East right-of-way line of 18th Street, to a point;

Thence North 45°23'18" East A distance of 9.88 feet, to a point on the South right-of-way line of McKinley Street;

Thence South 89°29'04" East, A distance of 150.00 feet, along said South right-of-way line of McKinley Street, to a point being 183.00 feet East of the centerline of said 18th Street when measured at a right angle to said centerline.

Thence South 00°15'40" West, A distance of 272.37 feet. parallel with said centerline of 18th street, to a point on the North right-of-way line of Villa Street;

Thence along said North right-of-way line of Villa Street, South 70°53'38" West, A distance of 119.59 feet, to a point;

Thence continuing along said North right-of-way line of Villa Street, North 19°06'22" West, A distance of 7.50 feet, to a point;

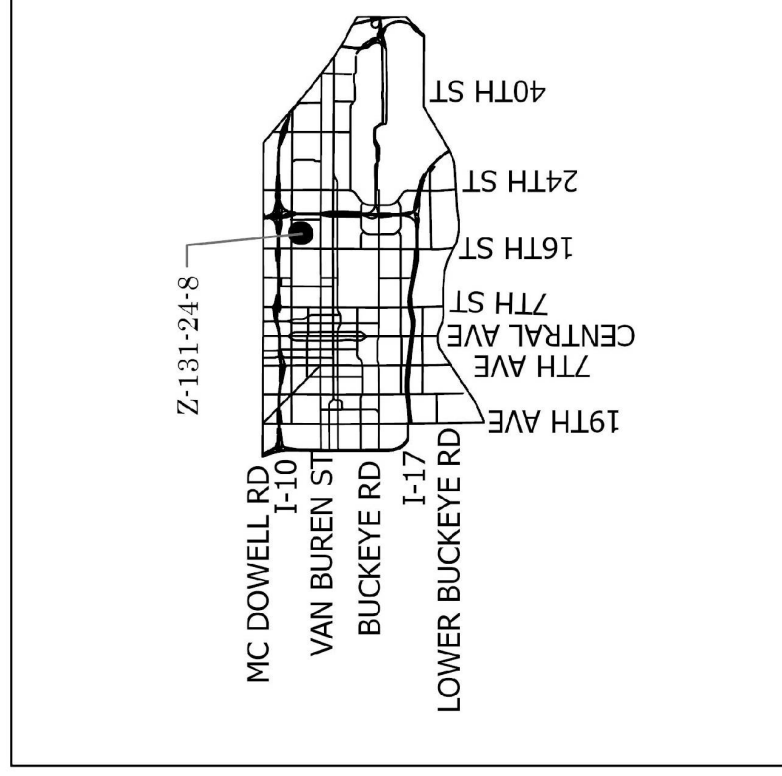
Thence continuing along said North right-of-way line of Villa Street, South 70°53'38" West, A distance of 19.19 feet, to a point:

Thence continuing along said North right-of-way line of Villa Street North 54°25'21" West, A distance of 28.90 feet, to the Point of Beginning.

Containing 46,489 square feet, more or less.

EXHIBIT B

Zoning Case Number: Z-131-24-8
Zoning Overlay: N/A
Planning Village: Central City



NOT TO SCALE

