

## 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-SP-12-22-8) FROM A-2 RSIOD (INDUSTRIAL DISTRICT, RIO SALADO INTERIM OVERLAY DISTRICT) TO A-2 SP RSIOD (INDUSTRIAL DISTRICT, SPECIAL PERMIT, RIO SALADO INTERIM OVERLAY DISTRICT).

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

SECTION 1. The zoning of a 3.77-acre property located approximately 260 feet north of the northeast corner of 24th Street and University Drive in a portion of Section 14, Township 1 North, Range 3 East, as described more specifically in Exhibit "A," is hereby changed from "A-2 RSIOD" (Industrial District, Rio Salado Interim Overlay District) to "A-2 SP RSIOD" (Industrial District, Special Permit, Rio Salado Interim Overlay District) to allow a homeless shelter.

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 in general conformance to the site plan date stamped February 7, 2023, as modified by the following stipulations and approved by the Planning and Development Department.
2. The site shall contain a maximum of 117 beds.
3. An Operational Plan shall be developed to govern operational features of the shelter. The plan shall address at minimum, the following:
  - a. The facility shall operate as a "Closed Campus" (defined as no walk-up admission to the program with all screening of potential program participants to be held off-site).
  - b. Any services, on-site, will be provided only to program participants residing in the shelter.
  - c. Program participants will be screened for eligibility prior to admission.
  - d. On-site security shall be provided 24 hours a day, 7 days a week.
  - e. Security video cameras will be provided on the site and monitored to secure the site.
  - f. A hotline number shall be maintained for surrounding businesses to call and notify the operator of any potential issues.
  - g. Drugs and/or alcohol are to be prohibited.
  - h. Signage discouraging loitering shall be posted and visible from public rights-of-way.
  - i. Procedures for discharge.
4. The operator shall engage with members of the community as listed below:

- a. The operator shall host semiannual community meetings to allow for opportunities to discuss any concerns and follow up requests related to site operations.
  - b. The operator shall maintain updated facility contact information and provide the contact information to the community leaders of registered neighborhood organizations within a one-mile radius of the subject site to address any issues that may arise.
5. The operator shall enroll in a virtual block watch program with the City of Phoenix Police Department.
6. The perimeter of the site shall be fenced to secure the site, as approved by the Planning and Development Department.
7. Site lighting shall be provided at building entrances/exits and parking and refuse areas, as approved by the Planning and Development Department.
8. Landscaping shall be replenished with minimum 2-inch caliper shade trees within the existing landscape setback along 24th Street and surface parking lot, as approved by the Planning and Development Department.
9. The developer shall dedicate a minimum 10-foot-wide sidewalk easement along the east side of 24th Street, as approved by the Planning and Development Department.
10. Upon complete redevelopment or development that increases the cumulative floor area by more than 15% from that depicted on the site plan date stamped February 7, 2023, the developer shall construct a minimum 6-foot-wide detached sidewalk and minimum 10-foot-wide landscape strip located between the back of curb and sidewalk along the east side of side of 24th Street, as approved by the Planning and Development Department. The landscape strip shall be planted with minimum 2-inch caliper shade trees. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.
11. The developer shall construct 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 Department. All improvements shall comply with all ADA accessibility standards.

12. The property owner shall grant and record an avigation easement to the City of Phoenix for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.
13. 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.
14. 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.
15. 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.
16. Prior to preliminary 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.

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 28th day of June, 2023.

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MAYOR

ATTEST:

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Denise Archibald, City Clerk

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

By:

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REVIEWED BY:

\_\_\_\_\_  
Jeffrey Barton, City Manager

Exhibits:  
A – Legal Description (2 Pages)  
B – Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR Z-SP-12-22-8

THE LAND REFERRED TO HEREIN BELOW IS SITUATED PHOENIX, IN THE COUNTY OF MARICOPA, STATE OF ARIZONA, AND IS DESCRIBED AS FOLLOWS:

PARCEL NO. 1: (Tax Parcel No. 121-43-057V)

That portion of the Southwest quarter of Section 14, Township 1 North, Range 3 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, and the portion of Lot 1, ARIZONA INTERSTATE INDUSTRIAL CENTER UNIT THREE, as shown on the plat recorded in Book 110 of Maps, page 49, records of Maricopa County, Arizona, described as follows

BEGINNING at a point on the West line of Lot 1, from which the Southwest corner of said Lot 1 bears South 00 degrees 12 minutes 30 seconds West, 247.36 feet;

thence South 89 degrees 24 minutes 30 seconds East, 176.40 feet;

thence North 00 degrees 35 minutes 30 seconds East, 331.19 feet to the North line of Lot 1 which is also the South right-of-way line of Interstate Highway 10;

thence North 76 degrees 39 minutes 20 seconds West, 183.41 feet along said right-of-way of Interstate Highway 10 to the Northwest corner of Lot 1;

thence continuing North 76 degrees 39 minutes 20 seconds West, 30.77 feet along said right-of-way line;

thence North 73 degrees 50 minutes 00 seconds West, 41.77 feet along said right-of-way line;

thence North 89 degrees 48 minutes 30 seconds West, 22.86 feet;

thence South 00 degrees 35 minutes 30 seconds West, 201.73 feet;

thence North 89 degrees 24 minutes 30 seconds West, 248.00 feet to the East right-of-way line of 24th Street;

thence South 00 degrees 35 minutes 30 seconds West, 187.80 feet along said right-of-way line of 24th Street;

thence South 89 degrees 24 minutes 30 seconds East, 248.00 feet;

thence South 89 degrees 24 minutes 30 seconds East, 95.60 feet to the POINT OF BEGINNING.

Parcel No. 2: (Tax Parcel No. 121-43-077)

That portion of the Southwest quarter of Section 14, Township 1 North, Range 3 East of the Gila and Salt River Base and Meridian Maricopa County, Arizona, described as follows;

(The basis of bearings for this description is the West line of said Southwest quarter of the Southwest quarter (centerline of 24th Street) which bears North 00 degrees 35 minutes 30 seconds West.)

BEGINNING at the Northwest corner of said Southwest quarter of the Southwest quarter of Section 14;

thence South 89 degrees 48 minutes 30 seconds East, 40.00 feet along the North line of said Southwest quarter of the Southwest quarter of Section 14 to a point on the East line of 24th Street;

thence South 00 degrees 35 minutes 30 seconds East, 200.00 feet along said East line of 24th Street;

thence North 89 degrees 24 minutes 30 seconds East, 186.00 feet to the East line of the property described in instrument recorded in Docket 12288, page 1442, said point being the TRUE POINT OF BEGINNING;

thence North 89 degrees 24 minutes 30 seconds East, 62.00 feet to the East line of the property described in Docket 9913, page 316;

thence North 00 degrees 35 minutes 30 seconds West along said East line, 68.00 feet;

thence South 89 degrees 24 minutes 30 seconds West, 62.00 feet to the East line of said property;

thence South 00 degrees 35 minutes 30 seconds East, 68.00 feet to the POINT OF BEGINNING.

# ORDINANCE LOCATION MAP

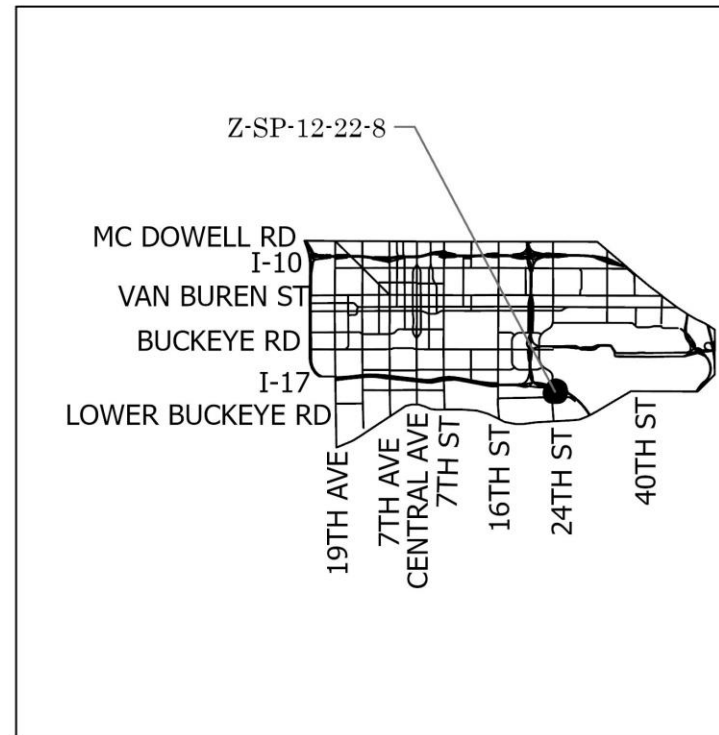
EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: \*

SUBJECT AREA: ■ ■ ■ ■ ■



Zoning Case Number: Z-SP-12-22-8  
Zoning Overlay: Rio Salado Interim Overlay District  
Planning Village: Central City



NOT TO SCALE



Drawn Date: 5/30/2023