

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-31-18-8) FROM R-5 SP (MULTIFAMILY RESIDENCE DISTRICT, SPECIAL PERMIT) TO C-2 HGT/WVR (INTERMEDIATE COMMERCIAL, HEIGHT WAIVER).

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

SECTION 1. The zoning of an approximately 2.50 acre property located approximately 414 feet east of the southeast corner of 7th Street and Willetta Street in a portion of Section 4, Township 1 North, Range 3 East, as described more specifically in Exhibit "A", is hereby changed from "R-5 SP" (Multifamily Residence District, Special Permit), to "C-2 HGT/WVR" (Intermediate Commercial, Height Waiver).

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 maximum building height shall be 48 feet.
2. The developer shall include a 5.5-foot-wide pedestrian path that extends from the sidewalk along Willetta Street to the accessible parking spaces and the entrance to the building, as approved by the Planning and Development Department.
3. The existing mature trees on the north side of the sidewalk on Willetta Street shall be maintained in place, as approved by the Planning and Development Department.
4. The property owner shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence, and operational characteristics 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 viewed and approved by the City Attorney.
5. 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.
6. The applicant shall return to the Central City Village Planning Committee for review and comment of the building elevations prior to preliminary site plan approval, as approved by the Planning and Development Department.
7. 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 5th day of September, 2018.

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)

EXHIBIT A

LEGAL DESCRIPTION FOR Z-31-18-8

LOT 1, Y.W.C.A., ACCORDING TO BOOK 295 OF MAPS, PAGE 24, RECORDS OF MARICOPA COUNTY, ARIZONA, BEING SITUATED IN A PORTION OF THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 1 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

ORDINANCE LOCATION MAP

EXHIBIT B

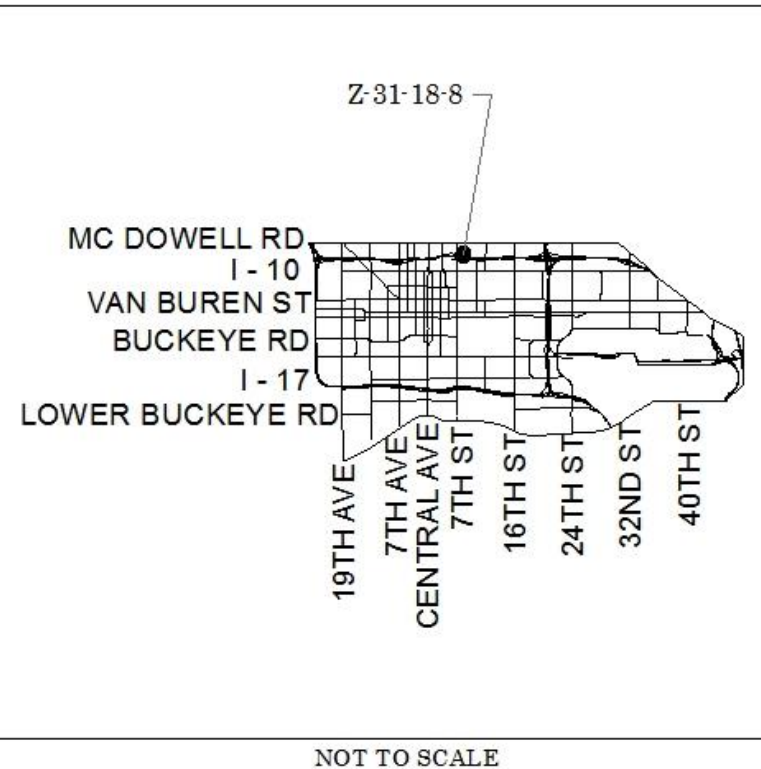
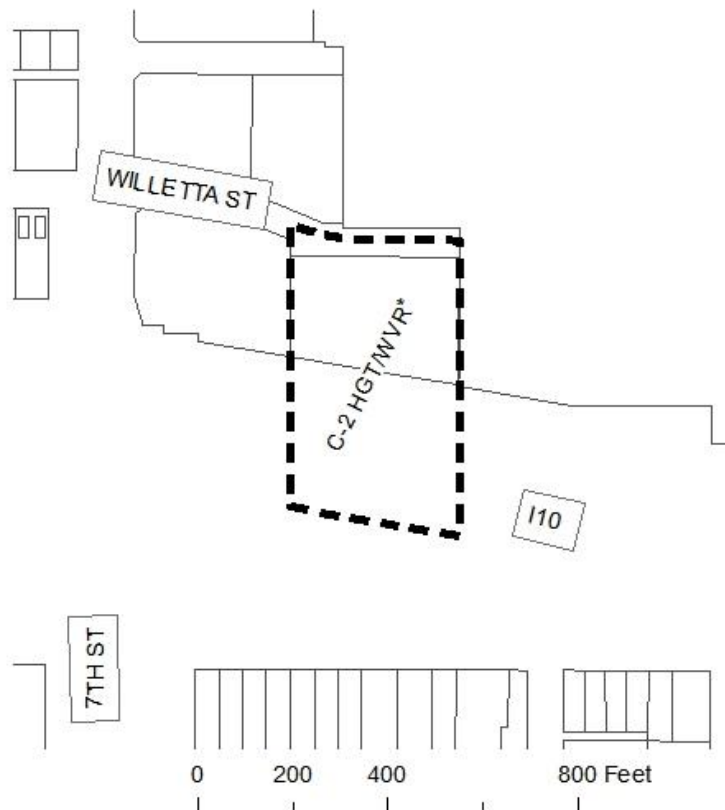
ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: - - - - -

Zoning Case Number: Z-31-18-8

Zoning Overlay: N/A

Planning Village: Central City



Drawn Date: 8/3/2018