

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-39-19-4) FROM C-2 HGT/WVR DNS/WVR TOD-1 (INTERMEDIATE COMMERCIAL, HEIGHT WAIVER, DENSITY WAIVER, INTERIM TRANSIT-ORIENTED ZONING OVERLAY DISTRICT ONE) AND C-2 TOD-1 (INTERMEDIATE COMMERCIAL, INTERIM TRANSIT-ORIENTED ZONING OVERLAY DISTRICT ONE) TO WU CODE T5:5 UT (WALKABLE URBAN CODE, TRANSECT 5:5 DISTRICT, TRANSIT UPTOWN CHARACTER AREA).

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

SECTION 1. The zoning of a 4.35-acre site located approximately 400 feet east of the northeast corner of 7th Avenue and Camelback Road in a portion of Section 17, Township 2 North, Range 3 East, as described more specifically in Exhibit "A", is hereby changed from 0.57 acres of "C-2 HGT/WVR DNS/WVR TOD-1" (Intermediate Commercial, Height Waiver, Density Waiver, Interim Transit-Oriented Zoning Overlay District One) and 3.78 acres of "C-2 TOD-1" (Intermediate Commercial, Interim Transit-

Oriented Zoning Overlay District One) to 4.35 acres of “WU Code T5:5 UT” (Walkable Urban Code, Transect 5:5 District, Transit Uptown 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 sidewalk shall be provided on-site from the apartment building to 7th Avenue and the sidewalk shall be a minimum of 5 feet in width, as approved by the Planning and Development Department.
2. There shall be a maximum of 428 parking spaces provided on site.
3. The developer shall provide clearly defined, accessible pedestrian pathways that connect all building entrances and exits and at all vehicular entry and exit points. These pathways shall be constructed of decorative pavers, stamped or colored concrete, or other decorative pavement that visually contrasts with the adjacent parking and drive aisles surfaces, as approved by the Planning and Development Department.
4. The development shall incorporate masonry elements into the primary exterior building materials and shall be reflective of the architectural style in the area, as approved by the Planning and Development Department.
5. All building elevations shall contain architectural embellishments 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.
6. All windows shall be shaded by architectural elements, awnings, canopies, etc., as approved by the Planning and Development Department.
7. The developer shall install traffic calming devices along the driveways of the property so that vehicles exercise caution prior to crossing the sidewalk when exiting and entering the property, as approved by the Planning and Development Department.

8. 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.
9. A 30-foot-wide driveway shall be provided at the proposed location on Camelback Road, in accordance with C.O.P Standard Detail P-1255-1, as approved by the Planning and Development Department.
10. A 10-foot-wide sidewalk easement shall be dedicated, on the north side of Camelback Road, for the length of the property, as approved by the Planning and Development Department.
11. 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.
12. 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 18th day of December 2019.

MAYOR

ATTEST:

_____ City Clerk

APPROVED AS TO FORM:

_____ City Attorney

REVIEWED BY:

_____ City Manager

Exhibits:

A – Legal Description (2 Pages)

B – Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-39-19-4

Within a portion of Section 17, Township 2 North, Range 3 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

Parcel No. 1:

That portion of LOT 13, BLOCK 2 EVANS ADDITION TO ORANGEWOOD, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 2 of Maps, Page 56;

Beginning at a point in which is an iron pipe on the North boundary line of Camelback Road 33 feet north of a cross in the concrete pavement, which cross the Southeast corner of the West half of the Southwest quarter of the Southwest quarter of Section 17, Township 2 North, Range 3 east of the Gila and Salt River Base and Meridian, Maricopa County, Arizona; thence North 00 degrees 12 minutes West 650 feet along the East line of the West half of the Southwest quarter of the Southwest quarter of said Section 17 to an iron pipe which is the Northeast corner of the tract; thence west 229.68 feet along the North line of Lot 13, Block 2 of said Evans Addition to Orangewood, to a point which is the Northwest corner of said tract; thence South parallel with the West line of Lot 14 Block 2 of said Evans Addition to Orangewood, a distance of 650 feet to a point which is the Southwest corner of said tract; thence East along the North line of Camelback Road, 230 feet to the Point of beginning;

Except the South 7 feet thereof.

Parcel No. 2:

That portion of LOT 13, BLOCK 2 EVANS ADDITION TO ORANGEWOOD, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 2 of Maps, Page 56;

Beginning at a point on the South line of Lot 13, from which the Southeast corner of Lot 13 bears South 89 degrees 49 minutes East 242.25 feet; thence North parallel with the West line of Lot 14, Block 2 of said Evans Addition to Orangewood, 148 feet; thence West 80.43 feet to appoint in the West line of Lot 13; thence South along the West line of Lot 13 to a point which lies 132 feet North of the Southwest corner of Lot 13; thence East 3.84 feet; thence South along a line parallel to the West line of Lot 13 to a point on the South line of Lot 13; thence East along the South line of Lot 13 to the Point of beginning;

Except the South 7 feet thereof.

Parcel No. 3:

That portion of LOTS 13 and 14, BLOCK 2, EVANS ADDITION TO ORANGEWOOD, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 2 of Maps, Page 56;

Beginning at the Northwest corner of said Lot 14; thence South 89 degrees 49 minutes 30 seconds East along the North line of said Lots 13 and 14, a distance of 403.15 feet; thence South parallel with the West line of Lot 14, a distance of 30.00 feet; thence North 89 degrees 49 minutes 30 seconds West 403.15 feet to a point on the West line of Lot 14; thence North along the West line of Lot 14; thence North along the West line of Lot 14 a distance of 30.00 feet to the Point of Beginning as created by Docket No. 7267, page 162;

Except the West 7 feet thereof.

ORDINANCE LOCATION MAP

EXHIBIT B

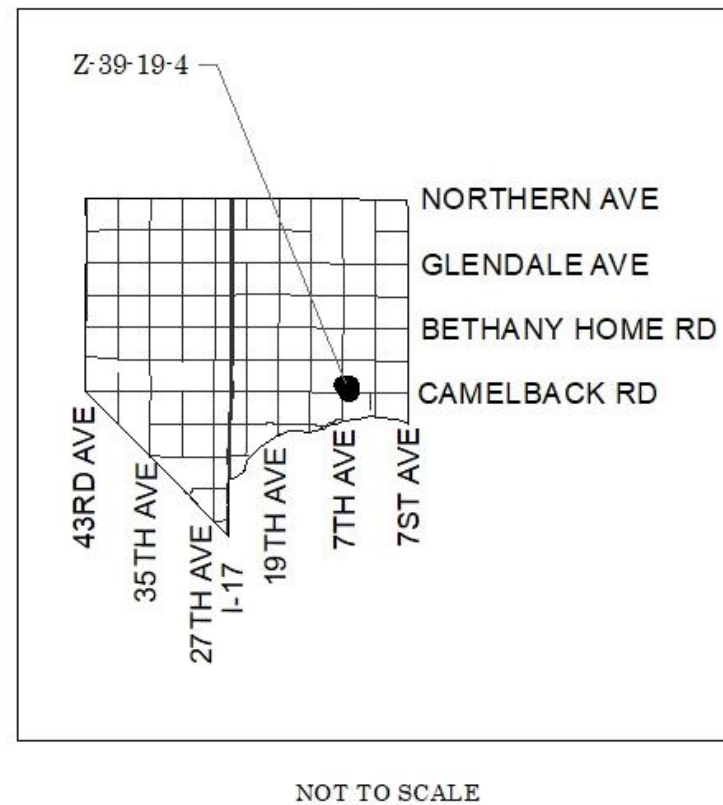
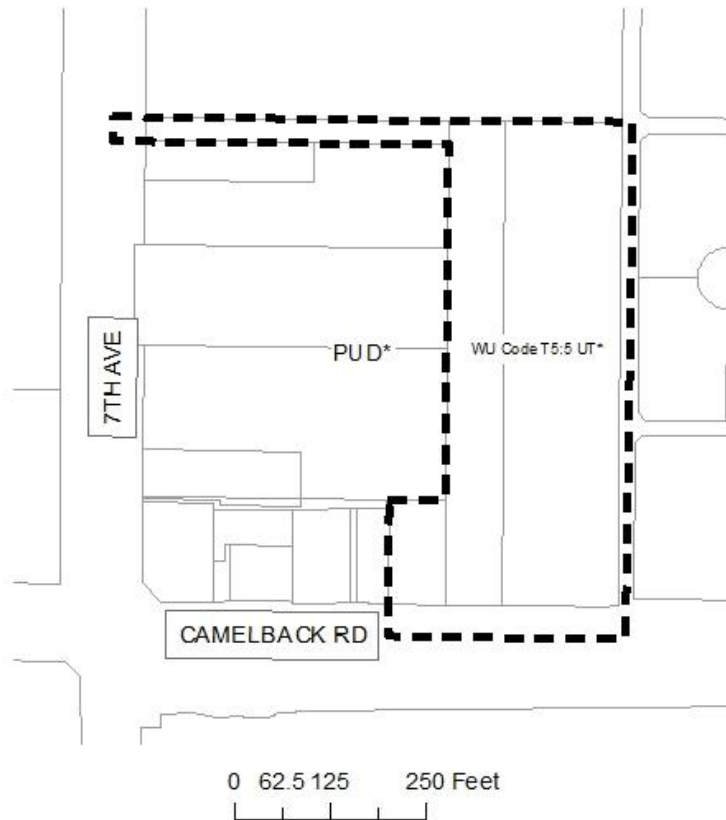
ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: ■ ■ ■ ■ ■

Zoning Case Number: Z-39-19-4

Zoning Overlay: N/A

Planning Village: Alhambra



Drawn Date: 11/22/2019