

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 95-16-8) FROM C-2 (INTERMEDIATE COMMERCIAL) AND C-2 SP (INTERMEDIATE COMMERCIAL SPECIAL PERMIT) TO C-2 HR (INTERMEDIATE COMMERCIAL HIGH RISE OVERLAY DISTRICT) AND C-2 HR SP (INTERMEDIATE COMMERCIAL HIGH RISE OVERLAY DISTRICT SPECIAL PERMIT).

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

SECTION 1. The zoning of an approximately 4.27 acre property located at the southeast corner of 10th 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 "C-2" (Intermediate Commercial) and "C-2 SP" (Intermediate Commercial Special Permit), to "C-2 HR" (Intermediate Commercial High Rise Overlay District) and "C-2 HR SP" (Intermediate Commercial High Rise Overlay District Special Permit).

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 developer shall design and install a two-way cycle track on 10th Street from the Interstate 10 pedestrian/bicycle bridge sidewalk landing north to Willetta Street. The design shall be as approved by the City of Phoenix Bicycle Coordinator and the Planning and Development Department.
2. The private streets adjacent to the development shall conform to the commercial streetscape landscape standards of Section 623.E.4.e. for plant placement, type and size as of the Zoning Ordinance. Required trees in the streetscape landscape setbacks shall be placed parallel to the sidewalks in order to provide shade for pedestrians, as approved by the Planning and Development Department.
3. 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.
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.
5. The development shall comply with all ADA accessibility standards, as per plans approved by the Planning and Development Department.

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 April, 2017.

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)

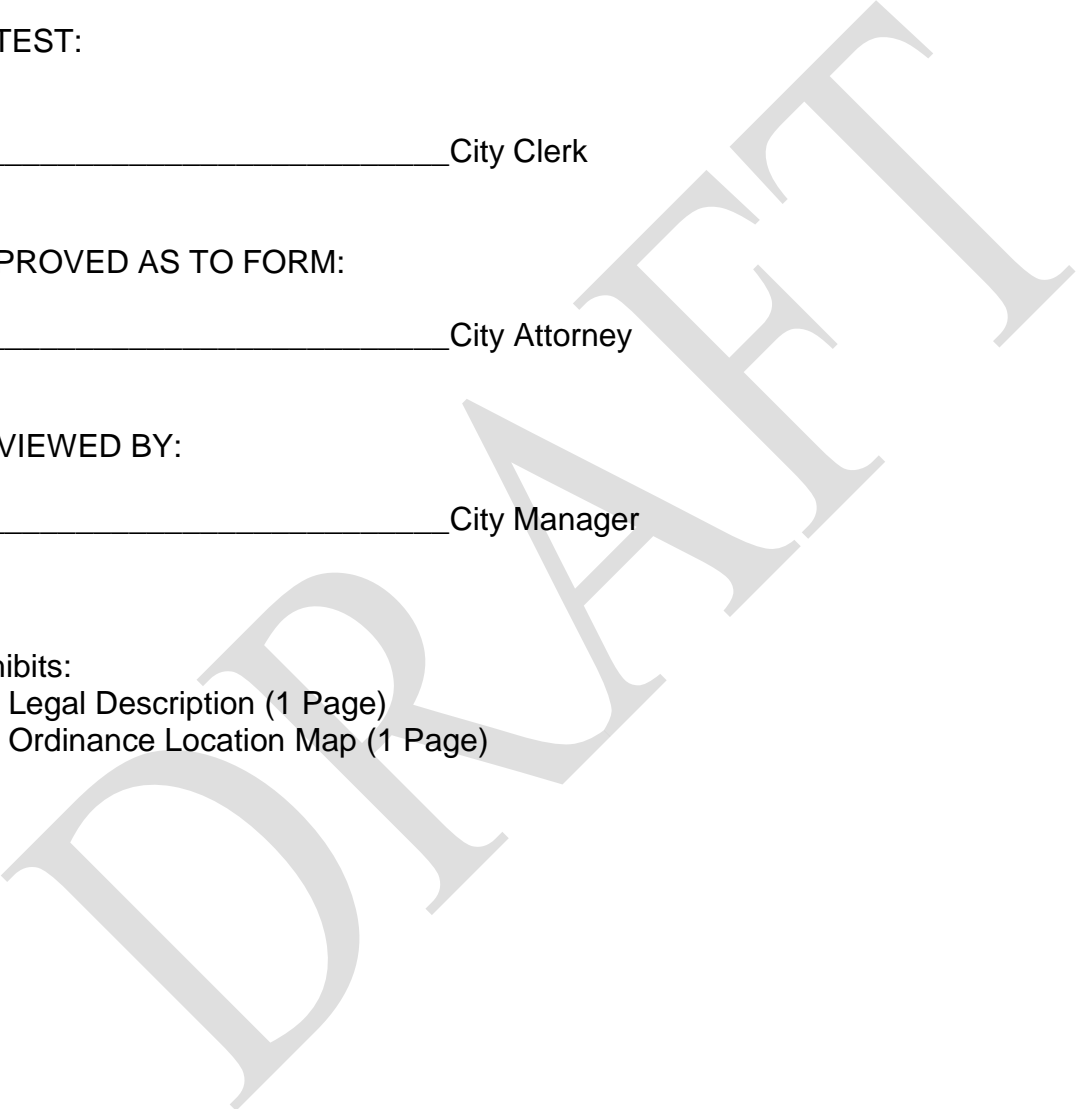


EXHIBIT A

LEGAL DESCRIPTION FOR Z-95-16-8

A PARCEL OF LAND SITUATED IN A PORTION OF THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 1 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A BRASS CAP IN HANDHOLE AT THE NORTH QUARTER CORNER OF SECTION 4, FROM WHICH A BRASS CAP FLUSH AT 10TH STREET AND MCDOWELL ROAD BEARS SOUTH 89 DEGREES 52 MINUTES 41 SECONDS WEST, A DISTANCE OF 1356.23 FEET;

THENCE UPON SAID NORTH LINE SOUTH 89 DEGREES 52 MINUTES 41 SECONDS WEST, A DISTANCE OF 894.05 FEET;

THENCE DEPARTING SAID NORTH LINE MEASURED AT RIGHT ANGLES SOUTH 00 DEGREES 07 MINUTES 19 SECONDS EAST, A DISTANCE OF 766.94 FEET THE POINT OF BEGINNING;

THENCE SOUTH 00 DEGREES 21 MINUTES 09 SECONDS WEST, A DISTANCE OF 177.65 FEET;

THENCE NORTH 89 DEGREES 39 MINUTES 01 SECONDS WEST, A DISTANCE OF 12.37 FEET;

THENCE SOUTH 00 DEGREES 20 MINUTES 59 SECONDS WEST, A DISTANCE OF 190.58 FEET TO A POINT FROM WHICH AN ADOT BRASS CAP FLUSH BEARS SOUTH 81 DEGREE 54 MINUTES 02 SECONDS EAST, A DISTANCE OF 122.89 FEET;

THENCE NORTH 89 DEGREES 39 MINUTES 01 SECONDS WEST, A DISTANCE OF 362.52 FEET;

THENCE SOUTH 00 DEGREES 20 MINUTES 59 SECONDS WEST, A DISTANCE OF 57.55 FEET;

THENCE NORTH 89 DEGREES 48 MINUTES 20 SECONDS WEST, A DISTANCE OF 118.86 FEET;

THENCE NORTH 00 DEGREES 21 MINUTES 00 SECONDS EAST, A DISTANCE OF 425.09 FEET;

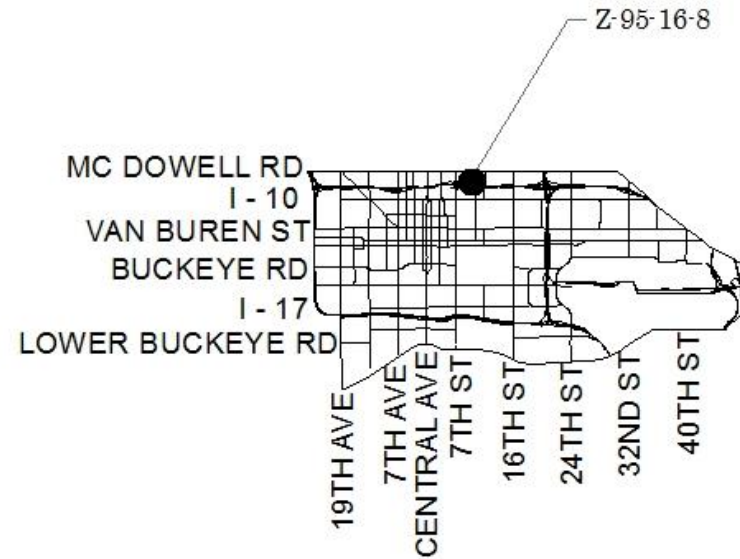
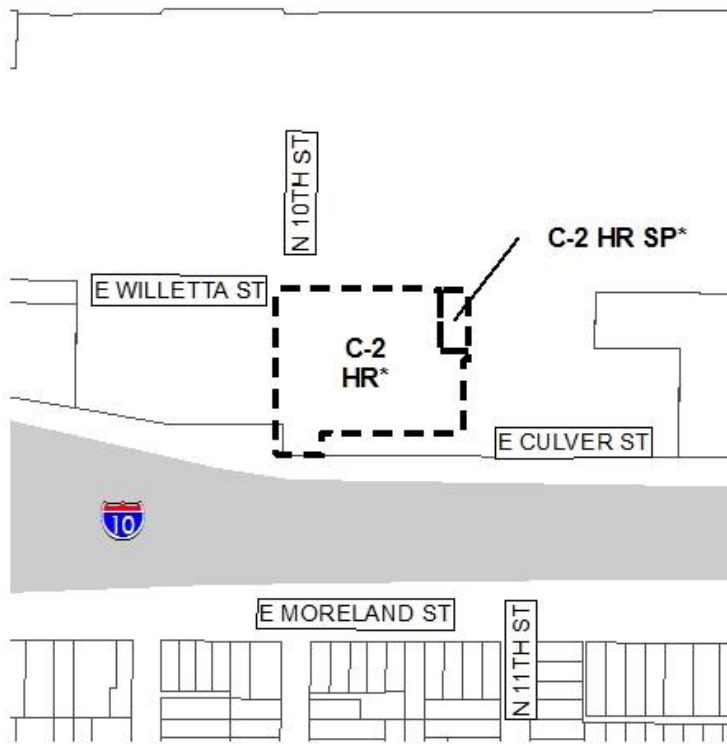
THENCE SOUTH 89 DEGREES 46 MINUTES 01 SECONDS EAST, A DISTANCE OF 493.76 FEET TO THE POINT OF BEGINNING, CONTAINING A COMPUTED AREA OF 180,064 SQUARE FEET OR 4.133 ACRES OF LAND, MORE OF LESS.

ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: ■ ■ ■ ■ ■

Zoning Case Number: Z-95-16-8
Zoning Overlay: N/A
Planning Village: Central City



NOT TO SCALE



Drawn Date: 2/23/2017