

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-30-18-4) FROM C-2 HRI TOD-1 (INTERMEDIATE COMMERCIAL DISTRICT, HIGH-RISE INCENTIVE DISTRICT, INTERIM TRANSIT-ORIENTED ZONING OVERLAY DISTRICT ONE), C-1 TOD-1 (NEIGHBORHOOD RETAIL DISTRICT, INTERIM TRANSIT-ORIENTED ZONING OVERLAY DISTRICT ONE), AND P-2 TOD-1 (PARKING DISTRICT, INTERIM TRANSIT-ORIENTED ZONING OVERLAY DISTRICT ONE) TO WU CODE T5:7 MT (WALKABLE URBAN CODE, TRANSECT 5:7 DISTRICT, MIDTOWN CHARACTER AREA).

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

SECTION 1. The zoning of an approximately 1.86-acre property located approximately 400 feet west of the southwest corner of 3rd Street and Roanoke Avenue in a portion of Section 32, Township 2 North, Range 3 East, as described more specifically in Exhibit "A", is hereby changed from 0.90 acres of "C-2 HRI TOD-1" (Intermediate Commercial District, High-Rise Incentive District, Interim Transit-Oriented Zoning Overlay District One), 0.34 acres of "C-1 TOD-1" (Neighborhood Retail District, Interim Transit-Oriented Zoning Overlay District One), and 0.62 acres of "P-2 TOD-1"

(Parking District, Interim Transit-Oriented Zoning Overlay District One) to “WU Code T5:7 MT” (Walkable Urban Code, Transect 5:7 District, Midtown 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. In the event the applicant elects to pursue an alternative frontage design, one element of the alternative design shall be development of an enhanced corner per the requirements of Phoenix Zoning Ordinance Section 1207.M at the northeast corner of the building.
2. 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.
3. 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.

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 July, 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-30-18-4

WITHIN A PORTION OF SECTION 32, 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. 11: (118-44-044 AND 118-44-045)
LOT 29, OF WEST BALTIMORE HEIGHTS, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY. ARIZONA, IN BOOK 4 OF MAPS, PAGE 31.

PARCEL NO. 3: (118-44-046)
THE EAST 60.5 FEET OF LOT 30, WEST BALTIMORE HEIGHTS, ACCORDING TO BOOK 4 OF MAPS, PAGE 31, RECORDS OF MARICOPA COUNTY. ARIZONA.

PARCEL NO. 12: (118-44-047. 118-44-048 AND 118-44-049)
LOT 31 AND THE WEST 46.5 FEET OF LOT 30, OF WEST BALTIMORE HEIGHTS, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY. ARIZONA, IN BOOK 4 OF MAPS, PAGE 31

ORDINANCE LOCATION MAP

EXHIBIT B

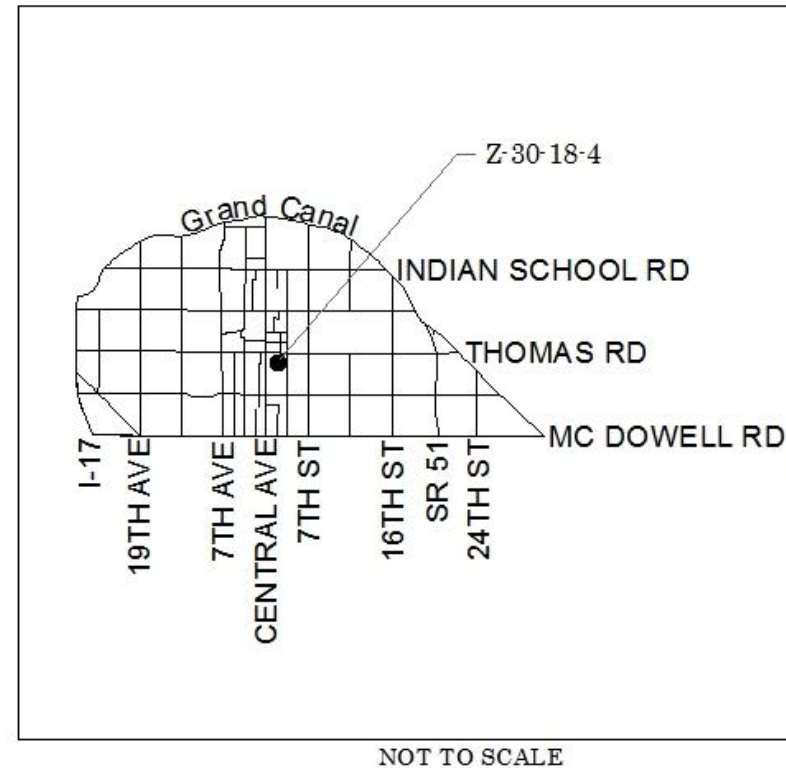
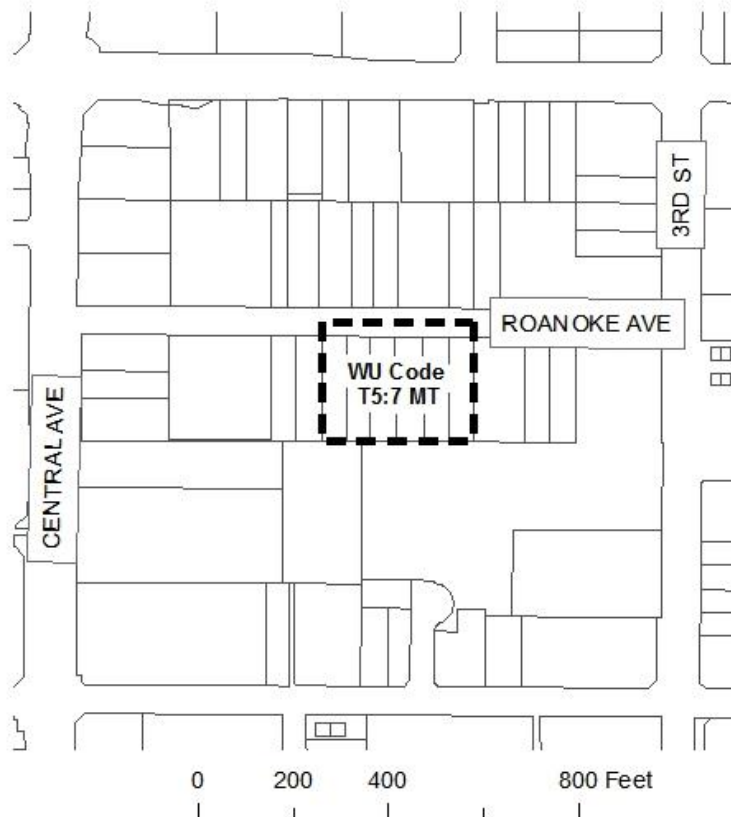
ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: ■ ■ ■ ■ ■

Zoning Case Number: Z-30-18-4

Zoning Overlay: N/A

Planning Village: Encanto



Drawn Date: 6/13/2018