

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-60-17-4) FROM C-2 H-R HGT/WVR TOD-1 (INTERMEDIATE COMMERCIAL DISTRICT, HIGH RISE AND HIGH DENSITY DISTRICT, HEIGHT WAIVER, INTERIM TRANSIT-ORIENTED ZONING OVERLAY DISTRICT ONE), R-4 TOD-1 (MULTIFAMILY RESIDENCE DISTRICT, INTERIM TRANSIT-ORIENTED ZONING OVERLAY DISTRICT ONE), AND R-5 TOD-1 (MULTIFAMILY RESIDENCE DISTRICT, INTERIM TRANSIT-ORIENTED ZONING OVERLAY DISTRICT ONE) TO WU T5:7 MT (WALKABLE URBAN CODE, MIDTOWN TRANSIT ORIENTED DEVELOPMENT DISTRICT).

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

SECTION 1. The zoning of an approximately 2.77 acre property located at the northeast corner of Central Avenue and Columbus Avenue in a portion of Section 29, Township 2 North, Range 3 East, as described more specifically in Exhibit "A", is hereby changed from "C-2 H-R HGT/WVR TOD-1" (Intermediate Commercial District, High Rise And High Density District, Height Waiver, Interim Transit-Oriented Zoning Overlay District One), "R-4 TOD-1" (Multifamily Residence District, Interim Transit-

Oriented Zoning Overlay District One), and “R-5 TOD-1” (Multifamily Residence District, Interim Transit-Oriented Zoning Overlay District One) to “WU T5:7 MT” (Walkable Urban Code, Midtown Transit Oriented Development District).

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 install, as approved by the Planning and Development Department:
 - a. All required bicycle parking spaces for the multifamily use, per Section 1307.H.6.d of the Zoning Ordinance, shall be secured bicycle parking.
 - b. A minimum of 5 inverted-U style bicycle racks for guests, placed near entrances to the building and installed per the requirements of Section 1307.H.4. of the Zoning Ordinance.
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 developer shall demonstrate minimum compliance to a LEED certified level by submitting the LEED checklist demonstrating the points they plan on pursuing, prior to issuance of a building permit for the primary structure.

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 10th day of January,

2018.

MAYOR

ATTEST:

City Clerk

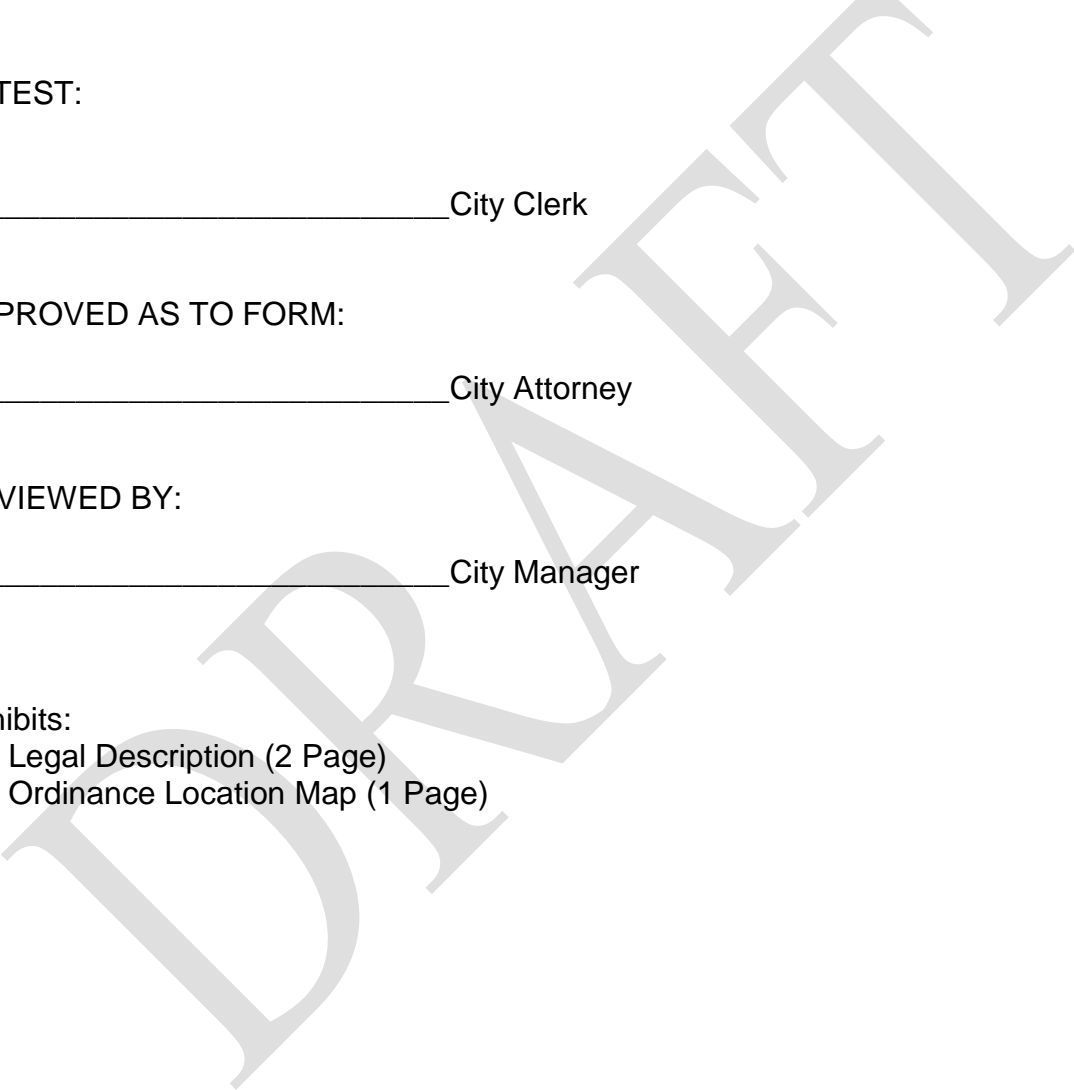
APPROVED AS TO FORM:

City Attorney

REVIEWED BY:

City Manager

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



LEGAL DESCRIPTION FOR Z-60-17-4

PARCEL NO. 1:

LOTS 1 TO 4, INCLUSIVE, AND THE WEST 56.25 FEET OF LOTS 5 AND 44, BLOCK 2 BELLA VISTA PLACE, ACCORDING TO BOOK 6 OF MAPS, PAGE 38, RECORDS OF MARICOPA COUNTY, ARIZONA.

EXCEPT:

A PART OF LOTS 1, 2, 3 AND 4, BLOCK 2 OF BELLA VISTA PLACE SUBDIVISION, RECORDED IN BOOK 6 OF MAPS, PAGE 38, LOCATED IN THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 2 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF CENTRAL AVENUE AND COLUMBUS AVENUE;

THENCE SOUTH 89 DEGREES 25 MINUTES 32 SECONDS EAST ALONG THE CENTERLINE OF SAID COLUMBUS AVENUE, A DISTANCE OF 84.05 FEET;

THENCE NORTH 00 DEGREES 34 MINUTES 28 SECONDS EAST, A DISTANCE OF 27.00 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 89 DEGREES 25 MINUTES 32 SECONDS WEST, A DISTANCE OF 34.23 FEET;

THENCE NORTH 00 DEGREES 01 MINUTES 22 SECONDS EAST, A DISTANCE OF 268.94 FEET;

THENCE NORTH 89 DEGREES 34 MINUTES 57 SECONDS EAST, A DISTANCE OF 0.79 FEET;

THENCE SOUTH 01 DEGREES 31 MINUTES 52 SECONDS EAST, A DISTANCE OF 243.69 FEET;

THENCE SOUTH 46 DEGREES 13 MINUTES 56 SECONDS EAST, A DISTANCE OF 37.13 FEET TO THE POINT OF BEGINNING.

PARCEL NO. 2:

THAT PART OF THE NORTH-SOUTH ALLEY AS SHOWN ON BELLA VISTA PLACE, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, IN BOOK 6 OF MAPS, PAGE 38, LYING WITHIN BLOCK 2 OF SAID PLAT, AND LYING BETWEEN THE EASTERLY PROLONGATION OF THE NORTH LINE OF LOT 1 IN SAID BLOCK 2 AND THE EASTERLY PROLONGATION OF THE SOUTH LINE OF LOT 4 IN SAID BLOCK 2; TOGETHER WITH THAT PART OF THE EAST-WEST ALLEY AS SHOWN IN SAID BLOCK 2, LYING BETWEEN THE SOUTHERLY PROLONGATION OF THE WEST LINE OF LOT 5 IN SAID BLOCK 2 AND THE LINE WHICH IS 56.25 FEET EASTERLY OF AND PARALLEL WITH SAID SOUTHERLY PROLONGATION.

PARCEL NO. 3:

THE EAST 20.00 FEET OF LOTS 5 AND 44, BLOCK 2 OF BELLA VISTA PLACE,
ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY
RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED BOOK 6 OF MAPS,
PAGE 38.

TOGETHER WITH THE ABANDONED 12 FOOT ALLEY RIGHT OF WAY DESCRIBED
IN RESOLUTION 20757 RECORDED DECEMBER 12, 2008 AS 2008-1051754 OF
OFFICIAL RECORDS.

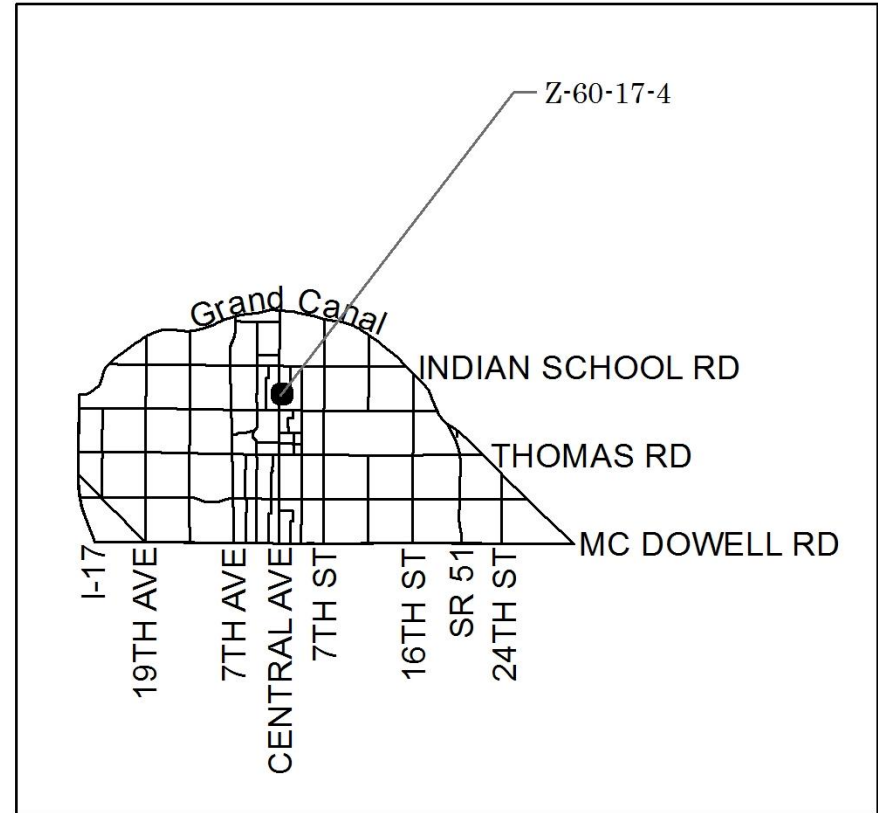
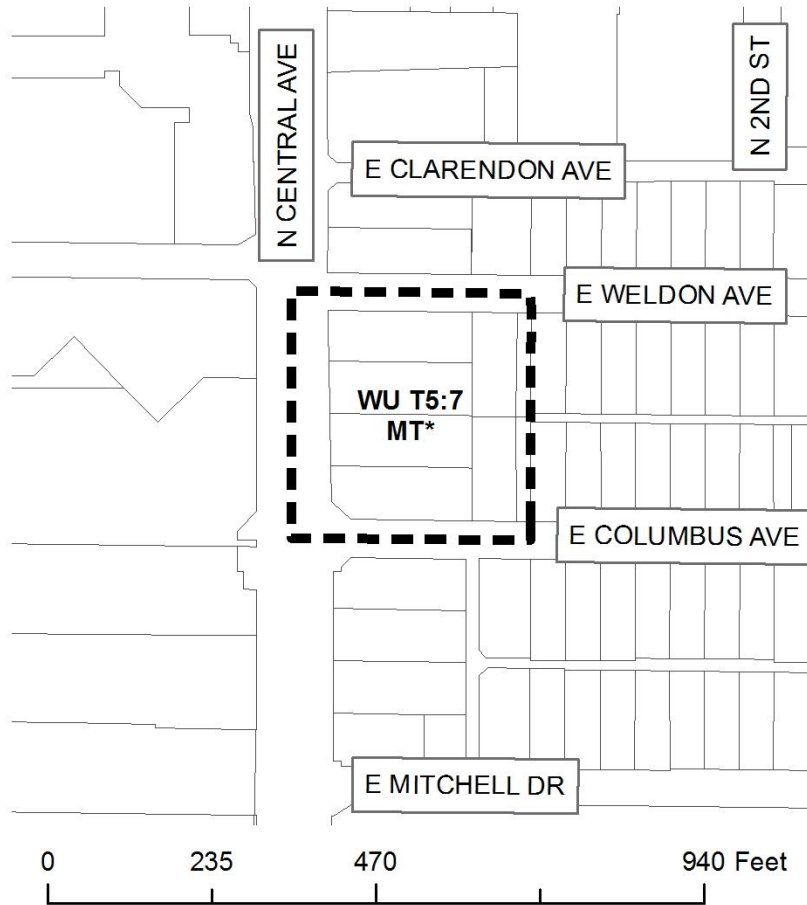
DRAFT

ORDINANCE LOCATION MAP

EXHIBIT B

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

Zoning Case Number: Z-60-17-4
Zoning Overlay: TOD District - Midtown
Planning Village: Encanto



NOT TO SCALE



Drawn Date: 12/12/2017