To: Mario Paniagua   **Date:**   September 1, 2017
          Deputy City Manager

From: Alan Stephenson
          Planning and Development Director

Subject: REQUEST TO CORRECT ITEM 77 ON THE SEPTEMBER 6, 2017 FORMAL
          AGENDA – AMEND CITY CODE ORDINANCE ADOPTION – REZONING
          APPLICATION Z-22-17-8 – NORTHEAST CORNER OF 10TH STREET AND
          FILLMORE STREET (G-6351)

This memo is to request that Attachment A for Item 77 – Amend City Code Ordinance
Adoption – Rezoning Application Z-22-17-8 on the September 6, 2017 Formal Agenda
be replaced with the correct corresponding ordinance. Please see Attachment A.

Approved: _____
          Mario Paniagua, Deputy City Manager

Attachment A – Ordinance G-6351

ATTACHMENT A

THIS IS A DRAFT COPY <u>ONLY</u> 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-22-17-8) FROM R-5 (MULTIFAMILY RESIDENCE DISTRICT) RI (RESIDENTIAL INFILL DISTRICT) HP (HISTORIC PRESERVATION DISTRICT) TO R1-6 (SINGLE-FAMILY RESIDENCE DISTRICT) HP (HISTORIC PRESERVATION DISTRICT)

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

SECTION 1. The zoning of an approximately 0.21-acre property located at the northeast corner of 10th Street and Fillmore 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 RI HP" (Multifamily Residence District, Residential Infill District, Historic Preservation District) to "R1-6" HP (Single-family Residence District) (Historic Preservation 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. Trees that are a minimum 3-inch caliper shall be placed 20 feet on center or in equivalent groupings in the right-of-way between the curb and the sidewalk along Pierce Street, as approved by the Planning and Development Department.

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.

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 6th day of September, 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

<u>LEGAL DESCRIPTION FOR Z-22-17-8</u>

THE SOUTH HALF OF LOT 1, BLOCK 8, MOUNT PLEASANT TRACT, ACCORDING TO BOOK 2, PAGE 9, RECORDS OF MARICOPA COUNT, ARIZONA.
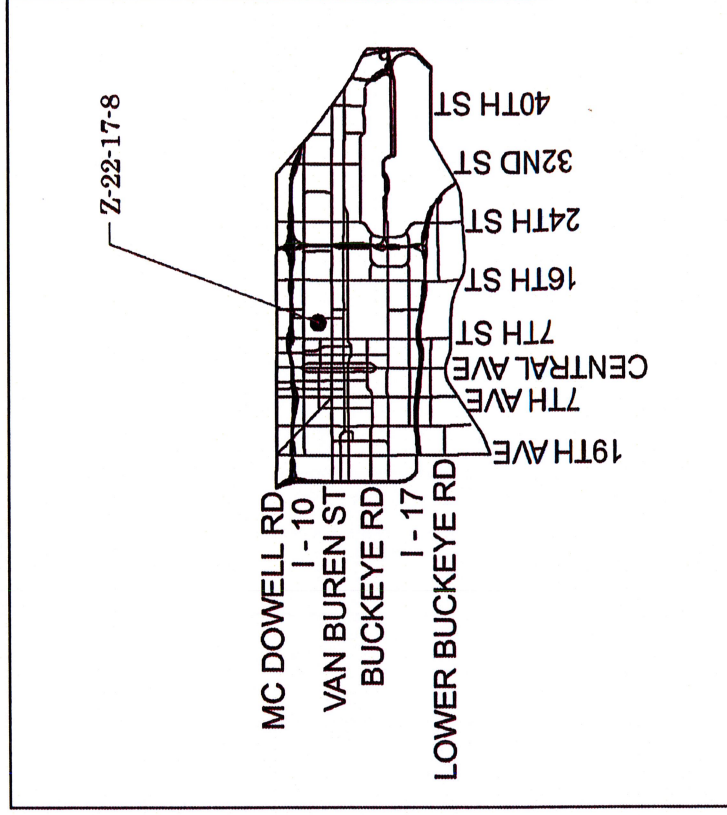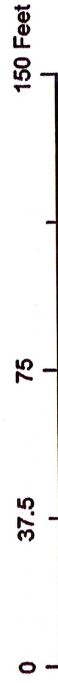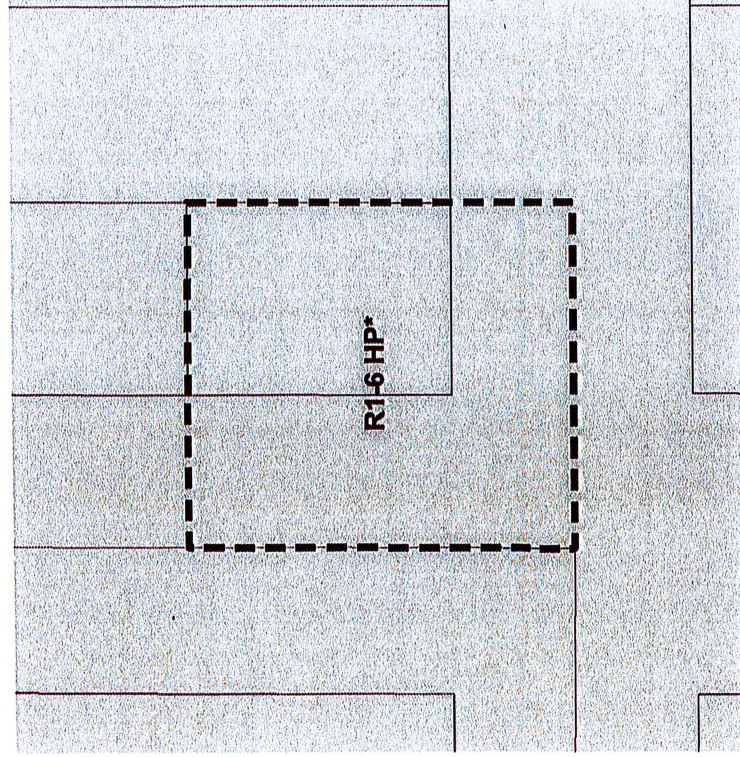
ORDINANCE LOCATION MAP

EXHIBIT B

Zoning Case Number: Z-22-17-8
Zoning Overlay: TOD District - Eastlake Garfield
Planning Village- Central City

Z-22-17-8

40TH ST

32ND ST

24TH ST

16TH ST

7TH ST

CENTRAL AVE

7TH AVE

19TH AVE

MC DOWELL RD
I - 10
VAN BUREN ST
BUCKEYE RD
I - 17
LOWER BUCKEYE RD

NOT TO SCALE

N

ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: ▪ ▪ ▪ ▪ ▪

R1-6 HP*

0   37.5   75   150 Feet

Drawn Date: 8/10/2017

R:\IS_Team\Core_Functions\Zoning\SuppMaps_OrdMaps\2017_Ord9_6_17\Z-22-17-8.mxd