

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 ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-70-22-8) FROM C-3 (GENERAL COMMERCIAL) TO WU CODE T5:3 GW (WALKABLE URBAN CODE, TRANSECT 5:3 DISTRICT, TRANSIT GATEWAY CHARACTER AREA).

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

SECTION 1. The zoning of a 1.61-acre property located approximately 360 feet west of the northwest corner of 30th Street and Van Buren Street in a portion of Section 2, Township 1 North, Range 3 East, as described more specifically in Exhibit "A," is hereby changed from "C-3" (General Commercial), to "WU Code T5:3 GW" (Walkable Urban Code, Transect 5:3 District, Transit Gateway 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. The south building elevations of the new structure shall provide a minimum 25 percent glazing on the ground floor, as approved by the Planning and Development Department.
2. Secure bicycle parking pursuant to Section 1307.H.6 of the Zoning Ordinance shall be provided for the total units on the site. In addition, the development shall provide and maintain the following bicycle infrastructure as described below and as approved by the Planning and Development Department.
 - a. Guest bicycle parking for multifamily residential use shall be provided at a minimum of 0.05 spaces per unit with a maximum of 50 spaces near entrances of buildings and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance.
 - b. A bicycle repair station ("fix it station") shall be provided on the site. The station shall include but not limited to: standard repair tools affixed to the station; a tire gauge and pump; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike, as approved by the Planning and Development Department.
3. The developer shall dedicate a 10-foot-wide sidewalk easement along the north side of Van Buren Street, except for those areas where a current building footprint exists. Any future removal of building along Van Buren Street will require a 10-foot-wide sidewalk easement dedication, as approved by the Planning and Development Department.
4. The developer shall maintain the existing width of the landscape strip area along the north side of Van Buren Street between the sidewalk and back of the curb, replenish and maintain the landscaping within it, and construct a minimum 6-foot-wide detached sidewalk, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.
5. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalks, 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.
6. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor Airport 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 reviewed

and approved by the City Attorney.

7. 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.
8. 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 1st day of March, 2023.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Julie M. Kriegh, City Attorney

By:

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:

A – Legal Description (1 Page)

B – Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

A PORTION OF THE EAST HALF OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 1 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE EAST HALF OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 2;

THENCE NORTH 00 DEGREES 00 MINUTES 30 SECONDS WEST ALONG THE WEST LINE OF THE EAST HALF OF THE WEST HALF OF THE SOUTHEAST QUARTER, A DISTANCE OF 40.00 FEET;

THENCE SOUTH 89 DEGREES 40 MINUTES 30 SECONDS EAST, ALONG A LINE 40.00 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF SAID EAST HALF OF THE WEST HALF OF THE SOUTHEAST QUARTER, A DISTANCE OF 140.82 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 00 DEGREES 18 MINUTES 02 SECONDS EAST, A DISTANCE OF 257.57 FEET;

THENCE SOUTH 89 DEGREES 16 MINUTES 55 SECONDS WEST, A DISTANCE OF 12.40 FEET;

THENCE NORTH 00 DEGREES 24 MINUTES 54 SECONDS EAST, A DISTANCE OF 135.65 FEET;

THENCE SOUTH 89 DEGREES 40 MINUTES 30 SECONDS EAST, ALONG A LINE 433.00 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE EAST HALF OF THE WEST HALF OF THE SOUTHEAST QUARTER, A DISTANCE OF 169.30 FEET;

THENCE SOUTH 00 DEGREES 00 MINUTES 30 SECONDS WEST, ALONG A LINE 300.00 FEET EAST OF AND PARALLEL TO THE WEST LINE OF THE EAST HALF OF THE WEST HALF OF THE SOUTHEAST QUARTER, A DISTANCE OF 393.00 FEET;

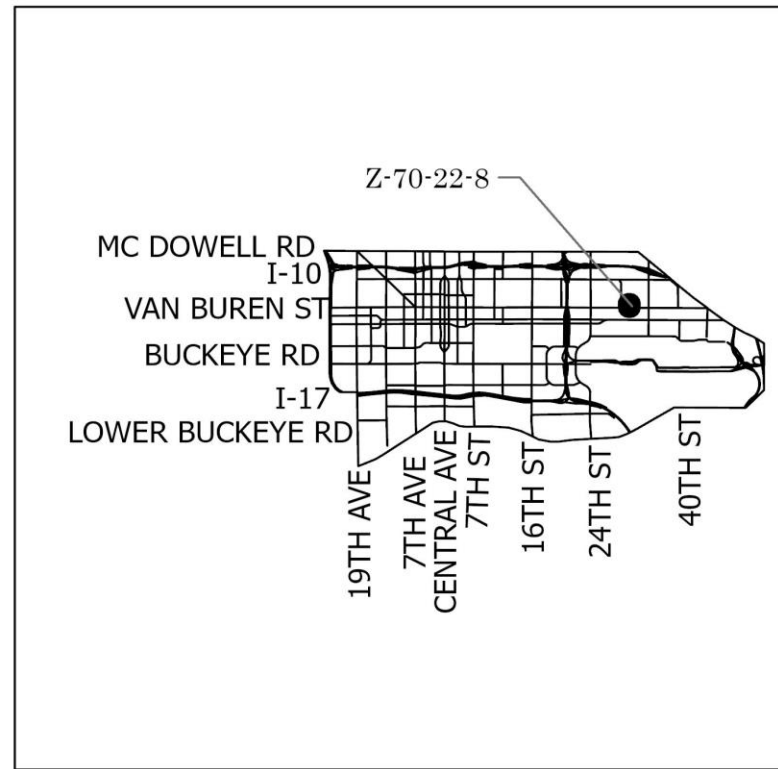
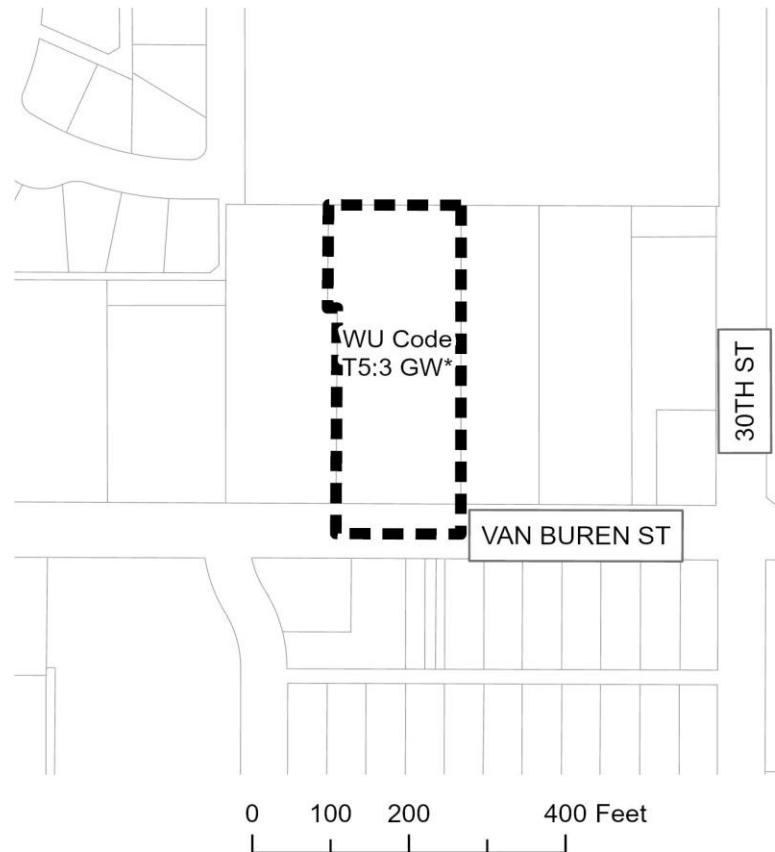
THENCE NORTH 89 DEGREES 40 MINUTES 30 SECONDS WEST, ALONG A LINE 40.00 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE EAST HALF OF THE WEST HALF OF THE SOUTHEAST QUARTER, A DISTANCE OF 159.18 FEET TO THE TRUE POINT OF BEGINNING.

ORDINANCE LOCATION MAP

EXHIBIT B

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

Zoning Case Number: Z-70-22-8
Zoning Overlay: N/A
Planning Village: Central City



NOT TO SCALE



Drawn Date: 1/30/2023