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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-15-17-8) FROM P-1 (PARKING DISTRICT) TOD-1 (INTERIM TRANSIT-ORIENTED ZONING OVERLAY DISTRICT) TO WU T5:3 EG (WALKABLE URBAN CODE EASTLAKE-GARFIELD TRANSIT ORIENTED DEVELOPMENT POLICY DISTRICT)

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

SECTION 1. The zoning of an approximately 0.89-acre property located at the southwest corner of 14th Street and Monroe Street in a portion of Section 9, Township 1 North, Range 3 East, as described more specifically in Exhibit "A", is hereby changed from "P-1 TOD-1" (Parking District Interim Transit-Oriented Zoning Overlay District), to "WU T5:3 EG" (Walkable Urban Code Eastlake-Garfield Transit Oriented Development Policy 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 property owner shall dedicate a 1 foot Vehicular Non-Access Easement (VNAE) along the north property line, as approved by the Planning and Development Department.
2. A minimum of six inverted-U bicycle racks shall be provided on site, located near an entrance to the office, and installed per the requirements of Section 1307.H.4 of the Zoning Ordinance, 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.

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 July, 2017.

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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)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-15-17-8

THAT PORTION OF LOT 1, UNIFIRST II, ACCORDING TO BOOK 406 OF MAPS, PAGE 11, ALSO BEING A PORTION OF LOTS 1 THROUGH 4, BLOCK 6, COLLINS ADDITION TO THE CITY OF PHOENIX, ACCORDING TO BOOK 1 OF MAPS, PAGE 11, RECORDS OF MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 1, UNIFIRST II, ALSO BEING THE NORTHWEST CORNER OF SAID LOT 4, COLLINS ADDITION TO THE CITY OF PHOENIX;

THENCE NORTH  $89^{\circ} 29' 13''$  EAST, ALONG THE NORTH LINE OF SAID LOT 1, UNIFIRST II, AND LOTS 1 THROUGH 4, COLLINS ADDITION, A DISTANCE OF 187.87 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 12.00 FEET;

THENCE SOUTHEASTERLY, ALONG THE NORTHEASTERLY LINE OF SAID LOT 1, UNIFIRST II, AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF  $90^{\circ} 30' 48''$  A DISTANCE OF 18.96 FEET TO A POINT ON TANGENCY ON THE EAST LINE OF SAID LOT 1, UNIFIRST II, AND LOT 1, COLLINS ADDITION;

THENCE SOUTH, ALONG SAID EAST LINE, A DISTANCE OF 127.84 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1, COLLINS ADDITION, SAID POINT ALSO BEING THE NORTHEAST CORNER OF A 20 FOOT WIDE PUBLIC UTILITY EASEMENT, AS SHOWN ON SAID LOT 1, UNIFIRST II;

THENCE SOUTH  $89^{\circ} 29' 50''$  WEST, ALONG THE SOUTH LINE OF SAID LOTS 1 THROUGH 4, COLLINS ADDITION, AND THE NORTH LINE OF SAID PUBLIC UTILITY EASEMENT, A DISTANCE OF 199.96 FEET TO THE NORTHWEST CORNER OF SAID PUBLIC UTILITY EASEMENT AND THE SOUTHWEST CORNER OF SAID LOT 4, COLLINS ADDITION;

THENCE NORTH  $00^{\circ} 00' 26''$  WEST, ALONG THE WEST LINE OF SAID LOT 1, UNIFIRST II, AND LOT 4, COLLINS ADDITION, A DISTANCE OF 139.91 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 27,949 SQUARE FEET OR 0.6416 ACRES MORE OR LESS.

# ORDINANCE LOCATION MAP

EXHIBIT B

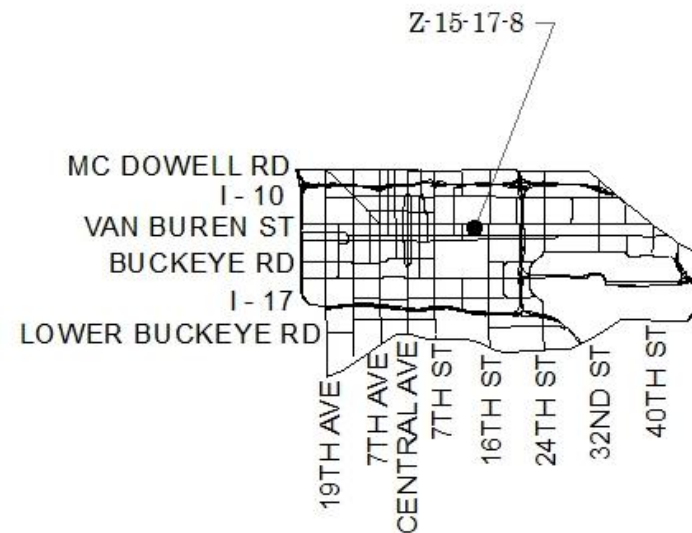
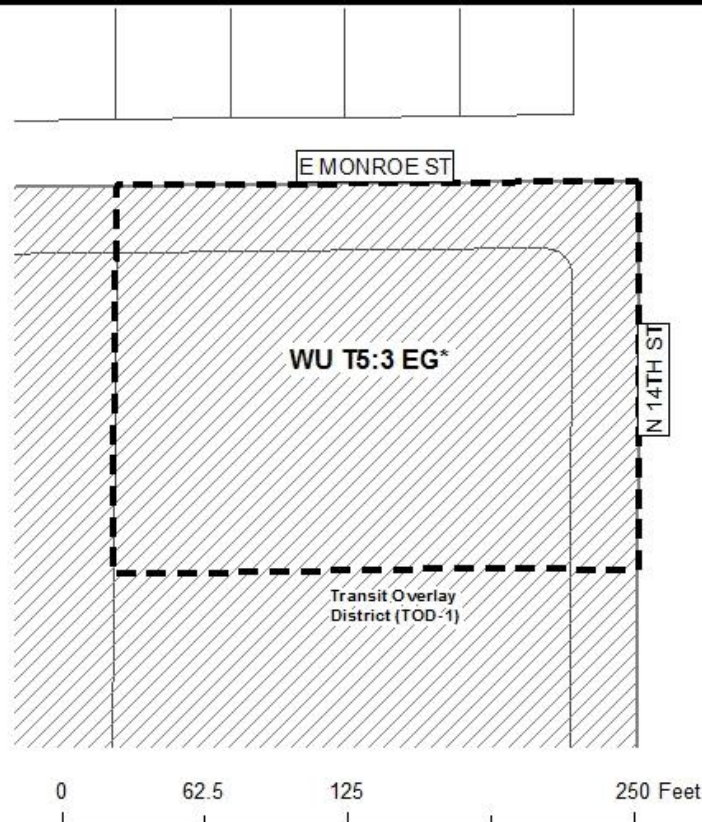
ZONING SUBJECT TO STIPULATIONS: \*

SUBJECT AREA: ■ ■ ■ ■ ■

Zoning Case Number: Z-15-17-8

Zoning Overlay: Transit Overlay District (TOD-1)

Planning Village: Central City



NOT TO SCALE



Drawn Date: 6/7/2017