

ORDINANCE G-6185

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-10-16-2) FROM PCD (APPROVED C-2 PCD) (APPROVED INTERMEDIATE COMMERCIAL PLANNED COMMUNITY DISTRICT) TO PUD (PLANNED UNIT DEVELOPMENT) WITH ALL UNDERLYING USES.

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

follows:

SECTION 1. The zoning of an approximately 2.45 acre property located on the northeast corner of N. 71st Street and Tierra Buena Lane in a portion of Section 3, Township 3 North, Range 4 East, as described more specifically in Attachment "A", is hereby changed from "PCD (Approved C-2 PCD)" (Planned Community District (Approved Intermediate Commercial Planned Community District) to "PUD" (Planned Unit Development).

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 Attachment "B".

SECTION 3: The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-10-16-2, on file with the Planning and Development Department. 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. An updated Development Narrative for the Greystar Kierland Overture PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped April 19, 2016.
2. The developer shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence, and operational characteristics of Scottsdale Municipal Airport (SOL) 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.
3. The developer shall provide documentation to the City prior to final site plan approval that Form 7460-1 has been filed for the development and that the development received a "No Hazard Determination" from the Federal Aviation Administration (FAA).
4. If temporary equipment used during construction exceeds the height of the permanent structure a separate Form 7460-1 shall be submitted to the Federal Aviation Administration (FAA) and a "No Hazard Determination" obtained prior to the construction start date.
5. The developer shall update all existing off-site street improvements (sidewalks, curb ramps, and driveways) to current ADA guidelines.
6. There shall be no satellite or similar communications dishes, receivers or similar equipment installed, maintained or otherwise placed upon individual balconies of any of the units, unless otherwise required by federal law and that the developer shall install cabling infrastructure as part of initial construction to permit each unit to access a location on the rooftop for installation of commonly and commercially available communication receivers (i.e. satellite dishes).

7. Prior to issuance of a building permit, the landowner shall execute a proposition 207 waiver of claims in a form approved by the City Attorney's Office. 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 July, 2016.

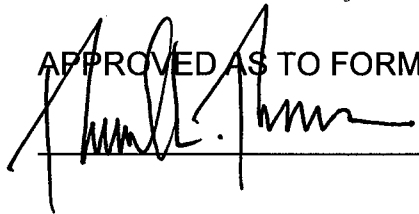
  
\_\_\_\_\_  
MAYOR

ATTEST:

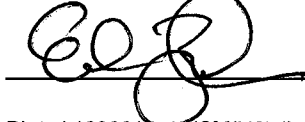
  
\_\_\_\_\_  
City Clerk



APPROVED AS TO FORM:

  
\_\_\_\_\_  
Acting City Attorney pml

REVIEWED BY:

  
\_\_\_\_\_  
City Manager

PL:tml:1238815v1: (CM#49) (Item #101) - 7/1/16

Attachments:

- A - Legal Description (1 Page)
- B - Ordinance Location Map (1 Page)

ATTACHMENT A

LEGAL DESCRIPTION FOR Z-10-16-2

A PORTION OF THE EAST HALF OF QUARTER SECTION 3, TOWNSHIP 3 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

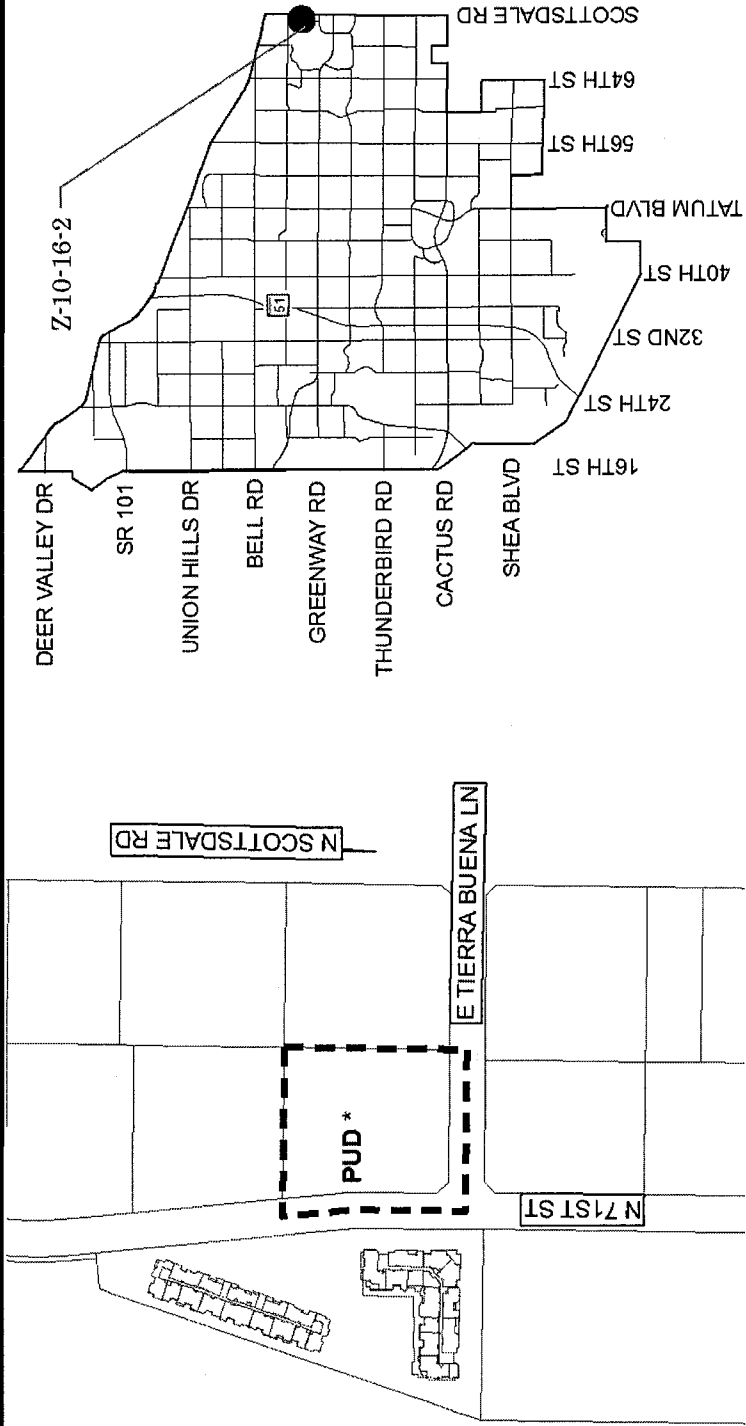
LOT 1, OF KIERLAND PARCELS 4C & 6B, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 468 OF MAPS, PAGE 47.

# ORDINANCE LOCATION MAP

ATTACHMENT B

Zoning Case Number: Z-10-16-2  
Zoning Overlay: N/A  
Planning Village: Paradise Valley

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



NOT TO SCALE

Drawn Date: 6/2/2016

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