

ORDINANCE G-6233

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-25-16-6) FROM R-4A (MULTIFAMILY RESIDENCE DISTRICT), TO PUD (PLANNED UNIT DEVELOPMENT).

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

SECTION 1. The zoning of an approximately 2.37 acre property located at the southwest corner of the 53rd Street alignment and Van Buren Street in a portion of Section 8, Township 1 North, Range 4 East, as described more specifically in Attachment "A," is hereby changed from "R-4A" (Multifamily Residence 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. 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 202 & Van Buren Storage 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 August 16, 2016 as modified by the following stipulations.
 - A. Exhibit D, conceptual site plan: applicant shall replace conceptual site plan with site plan date stamped September 28, 2016.
2. The property owner shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence, and operational characteristics of City of Phoenix Sky Harbor International Airport (PHX) 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 Planning and Development and Aviation departments 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.
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.

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 2nd day of November,

2016.



MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

Acting City Attorney

REVIEWED BY:

City Manager

PL:tml:1269148v1: (CM#19) (Item #50) - 11/2/16

Attachments:

A - Legal Description (1 Page)

B - Ordinance Location Map (1 Page)

ATTACHMENT A

LEGAL DESCRIPTION FOR Z-25-16-6

THAT CERTAIN PORTION OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 1 NORTH, RANGE 4 EAST, GILA AND SALT RIVER BASE AND MERIDIAN; MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 8 (AN ADOT BRASS CAPPED SURVEY MONUMENT) OF WHICH THE NORTHEAST CORNER OF SAID SECTION 8 (AN ADOT ALUMINUM CAPPED SURVEY MONUMENT) BEARS S 89°37'36" E (BASIS OF BEARING), A DISTANCE OF 2642.31 FEET;

THENCE S 89°37'36" E, ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 613.47 FEET;

THENCE LEAVING SAID NORTH LINE, S 00°22'24" W, A DISTANCE OF 90.27 FEET TO THE SOUTH RIGHT OF WAY OF VAN BUREN STREET, SAID POINT BEING THE POINT OF BEGINNING;

THENCE ALONG SAID RIGHT OF WAY, S 89°38'08" E, A DISTANCE OF 50.02;

THENCE LEAVING SAID RIGHT OF WAY, S 00°22'24" W, A DISTANCE OF 174.93 FEET;

THENCE N 89°37'36" W, A DISTANCE OF 28.94 FEET;

THENCE S 00°03'19" W, A DISTANCE OF 674.77 FEET;

THENCE N 89°38'04" W, A DISTANCE OF 118.05 FEET;

THENCE N 00°10'32" W, A DISTANCE OF 500.04 FEET;

THENCE N 00°02'23" E, A DISTANCE OF 249.86 FEET;

THENCE N 56°36'09" E, A DISTANCE OF 119.66 FEET;

THENCE N 00°22'24" E, A DISTANCE OF 33.31 FEET TO THE POINT OF BEGINNING.

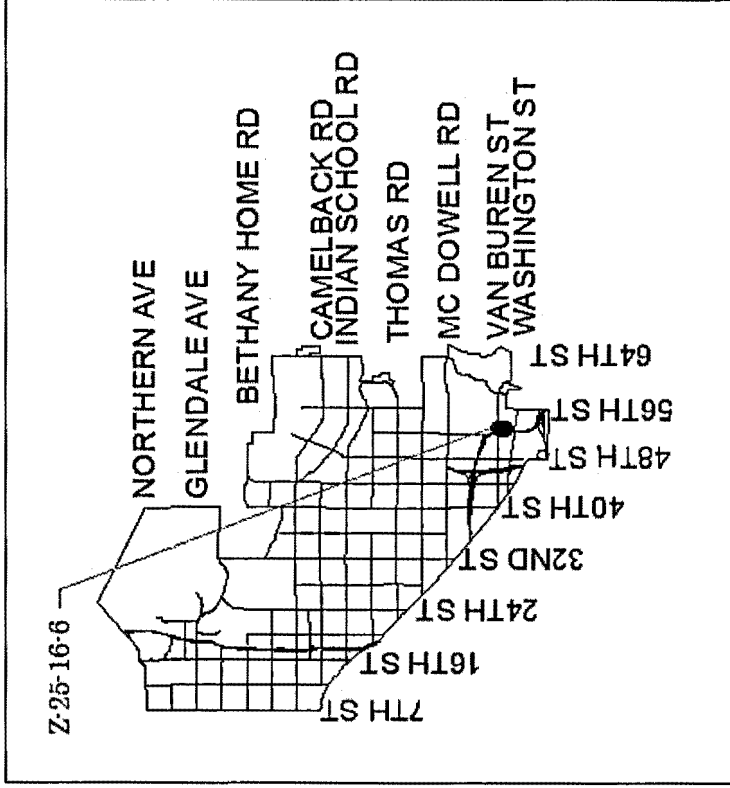
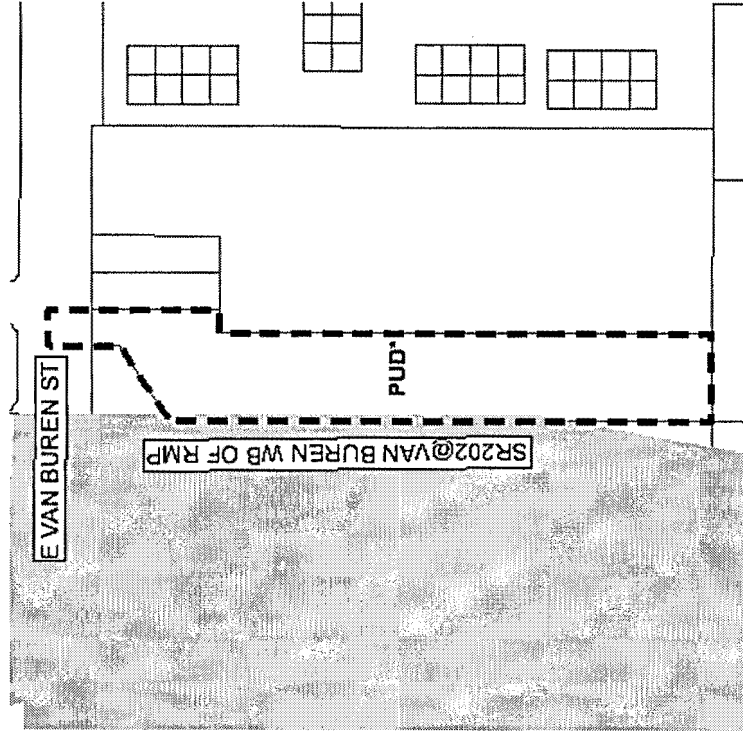
THE ABOVE CONTAINING 100,027.7 SQUARE FEET, MORE OR LESS.

ATTACHMENT B

ORDINANCE LOCATION MAP

Zoning Case Number: Z-25-16-6
Zoning Overlay: N/A
Planning Village: Camelback East

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: - - - - -



NOT TO SCALE



Drawn Date: 10/6/2016

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