

5915G-6-1-1--  
mcdevittr

ORDINANCE G-5915

AN ORDINANCE AMENDING THE CODE OF THE CITY OF PHOENIX, ARIZONA, PART II, CHAPTER 41, THE ZONING ORDINANCE OF THE CITY OF PHOENIX, BY AMENDING SECTION 601, THE ZONING MAP OF THE CITY OF PHOENIX, CHANGING THE PUD (PLANNED UNIT DEVELOPMENT) ZONING DISTRICT CLASSIFICATION PREVIOUSLY APPROVED BY ORDINANCE G-5793 AND AS AMENDED BY G-5852 FOR THE PARCEL DESCRIBED HEREIN (CASE Z-48-A-12-6) TO PUD (PLANNED UNIT DEVELOPMENT) WITH AN UPDATED DEVELOPMENT NARRATIVE.

---

WHEREAS, on March 5, 2014, the City of Phoenix Planning and Development Department received, in compliance with the requirements of the City of Phoenix Zoning Ordinance, Section 506, a written request for rezoning from Michael J. Curley of Earl, Curley, & Lagarde, having authorization to represent the owner, @51 Partners Arizona LLC of an approximately 3.30 acre property located at the Southeast corner of 16th Street and Georgia Avenue in a portion of Section 15, Township 2 North, Range 3 East, as described more specifically in Attachment "A", attached hereto and incorporated herein by this reference, and previously approved in Ordinance G-5793 as amended by G-5852; and,

WHEREAS, pursuant to A.R.S. § 9-462.04, the Planning Commission, held a public hearing on April 8, 2014, and at this hearing recommended that the City

Council approve this rezoning request with the recommended staff conditions, as modified; and,

WHEREAS, the City Council, at their regularly scheduled meeting held on May 7, 2014, has determined that, in accordance with A.R.S. § 9-462.01.F, this rezoning request, with the appropriate site specific requirements provided in Section 2, is consistent with and conforms to the General Plan, will conserve and promote the public health, safety and general welfare, and should be approved, subject to the conditions herein.

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

SECTION 1: The zoning of an approximately 3.30 acre property located at the southeast corner of 16th Street and Georgia Avenue in a portion of Section 15, Township 2 North, Range 3 East, as described more specifically in Attachment "A", is hereby changed from "PUD" (Planned Unit Development) as approved by Ordinances G-5793 and G-5852 to "PUD" (Planned Unit Development) with a stipulation requiring an updated development narrative and that 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".

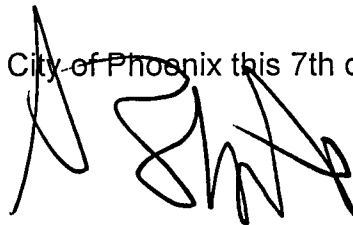
SECTION 2: The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-48-A-12-6, on file with the Planning and Development Department. Due to the site's specific physical conditions and the use district applied for by the applicant and pursuant to Ordinance G-5793 as amended by G-5852, this rezoning is subject to compliance with the PUD narrative and

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 Domus 51 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 Development Narrative date stamped March 20, 2014.

SECTION 3: 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 7th day of May, 2014.

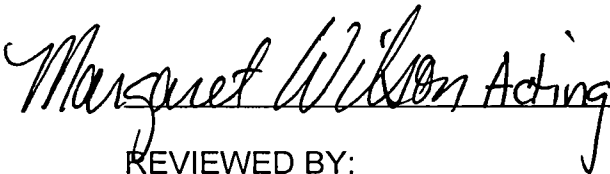


MAYOR


ATTEST:

 City Clerk

APPROVED AS TO FORM:

 City Attorney

REVIEWED BY:

 City Manager

MLW.efl.112008201 (CM#42)(Item#14) 5/7/14



Attachments:

- A - Legal Description (2 Pages)
- B - Ordinance Location Map (1 Page)

## ATTACHMENT A

LEGAL DESCRIPTION FOR Z-48-A-12-6

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MARICOPA, STATE OF ARIZONA, AND IS DESCRIBED AS FOLLOWS:

Parcel No. 1:

The North half of the following;

The West 400 feet of Lot 5, Adams and Graham Subdivision of the Southwest quarter of Section 15, Township 2 North, Range 3 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, according to Book 2 of Maps, page 1, records of Maricopa County, Arizona;

Except the East 8 feet; and

Except the North 25 feet conveyed to the County of Maricopa, a political subdivision of the State of Arizona, recorded in Docket 1340, page 567, records of Maricopa County, Arizona; and

Except that portion described as follows:

Beginning at the intersection of the East line of the West 7 feet of said Lot 5 with the South line of the North 25 feet thereof;

Thence West along said South line to the West line of said Lot 5; Thence South along said West line to the Southwest corner thereof;

Thence East along the sellers line of said Lot 5 to the East line of the West 7 feet thereof;

Thence North along said East line to a point which is 10 feet South from the Point of Beginning;

Thence Northeast to a point on the South line of the North 25 feet of said Lot 5 which is 10 feet from the Point of Beginning;

Thence to the Point of Beginning;

Except that portion thereof lying within the South half of said Lot 5.

Parcel No. 2:

The East 8 feet of the West 400 feet of Lot 5, Adams and Graham Subdivision of the Southwest quarter of Section 15, Township 2 North, Range 3 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, abandoned by Resolution of the Council of the City of Phoenix, a certified copy of which was recorded in Document No. 96-526304, records of Maricopa County, Arizona;

Except the North 30 feet; and

Except that portion lying within the South half of said Lot 5.

APN: 164-55-256

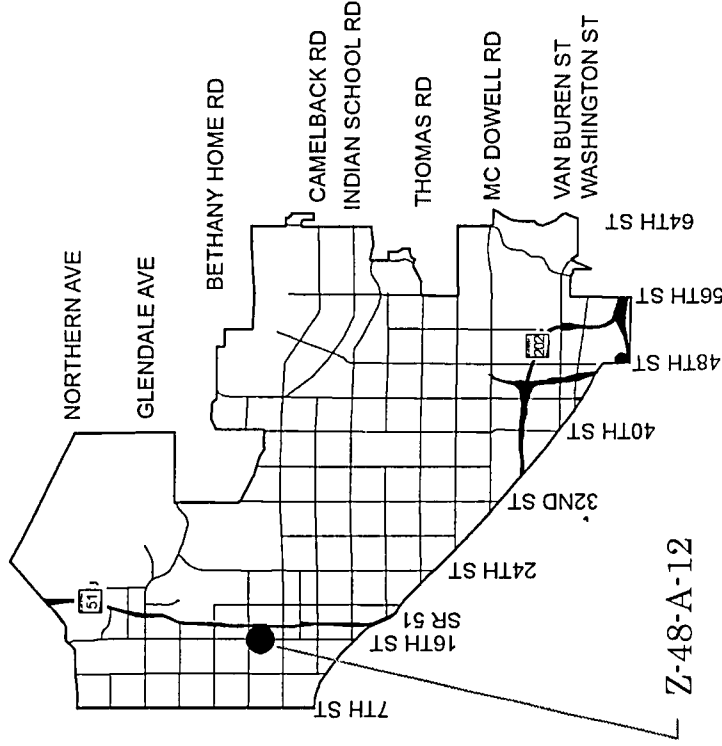
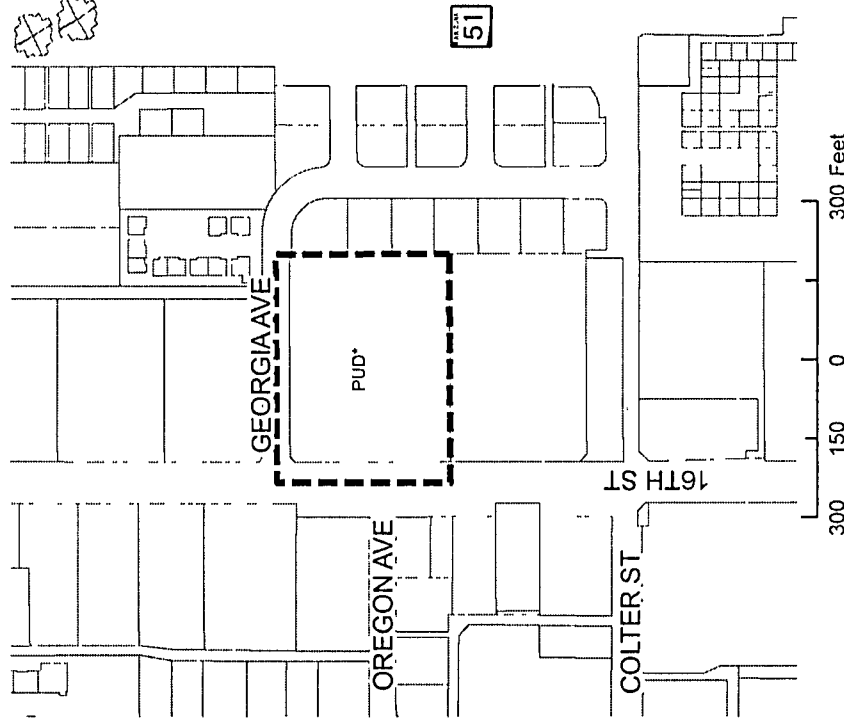
ATTACHMENT B

ORDINANCE LOCATION MAP

Zoning Case Number: Z-48-A-12-6  
Zoning Overlay: N/A  
Planning Village: Camelback East

ZONING SUBJECT TO STIPULATIONS: \*

SUBJECT AREA: - - - - -



NOT TO SCALE



Drawn Date: 4/7/14

S:\Department Share\IS Share\PL GIS\IS\_Team\Core\_Functions\Zoning\SuppMaps\_OrdMaps\2014 OrdZ-48-A-12.mxd