

5866G-5-1-1--
sarabiam

ORDINANCE G-5866

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 ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-33-13-3) FROM R3-A (MULTIPLE-FAMILY RESIDENCE) TO PUD (PLANNED UNIT DEVELOPMENT).

WHEREAS, on July 10, 2013, 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 Tiffany & Bosco, having authorization to represent the owner, M2 Phoenix 1222 LLC of an approximately 0.52 acre property located at the southwest corner of 7th Street and Greenway Parkway in a portion of Section 5, Township 3 North, Range 3 East, as described more specifically in Attachment "A," attached hereto and incorporated herein by this reference; and,

WHEREAS, pursuant to A.R.S. § 9-462.04, the Planning Commission, held a public hearing on November 12, 2013, 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 December 4, 2013, 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 0.52 acre property located at the southwest corner of 7th Street and Greenway Parkway in a portion of Section 5, Township 3 North, Range 3 East, as described more specifically in Attachment "A," is hereby changed from "R3-A" (Multiple-Family Residence) to "PUD" (Planned Unit Development) 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-33-13-3, 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 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 Vaseo Marketplace 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 September 6, 2013.

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 4th day of December, 2013.

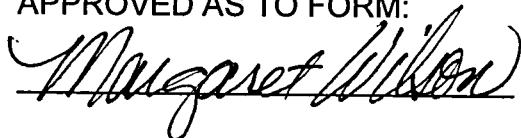



MAYOR

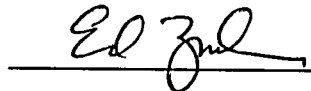
ATTEST:

 City Clerk

APPROVED AS TO FORM:

 Acting City Attorney

REVIEWED BY:

 Acting City Manager

MLW:tml:1095580v1: (CM#35) (Item#20) 12/4/13

Attachments:

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

ATTACHMENT A

LEGAL DESCRIPTION FOR Z-33-13-3

BEING A PORTION OF "PARADISE LAKES CONDOMINIUM", RECORDED IN BOOK 339 OF MAPS, PAGE 15, RECORDS OF MARICOPA COUNTY, ARIZONA, BEING A PORTION OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 3 NORTH, RANGE 3 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS;

COMMENCING AT THE EAST ONE-QUARTER CORNER OF SAID SECTION 5;

THENCE NORTHERLY ALONG THE EAST LINE OF SAID NORTHEAST QUARTER OF SECTION 5, N. 00°15'21" W. 590.00 FEET TO A POINT;

THENCE S. 89°44'39" W. 340.00 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING S. 89°44'39" W. 100.00 FEET;

THENCE N. 0°15'21" W. 230.00 FEET;

THENCE N. 89°44'39" E. 100.00 FEET;

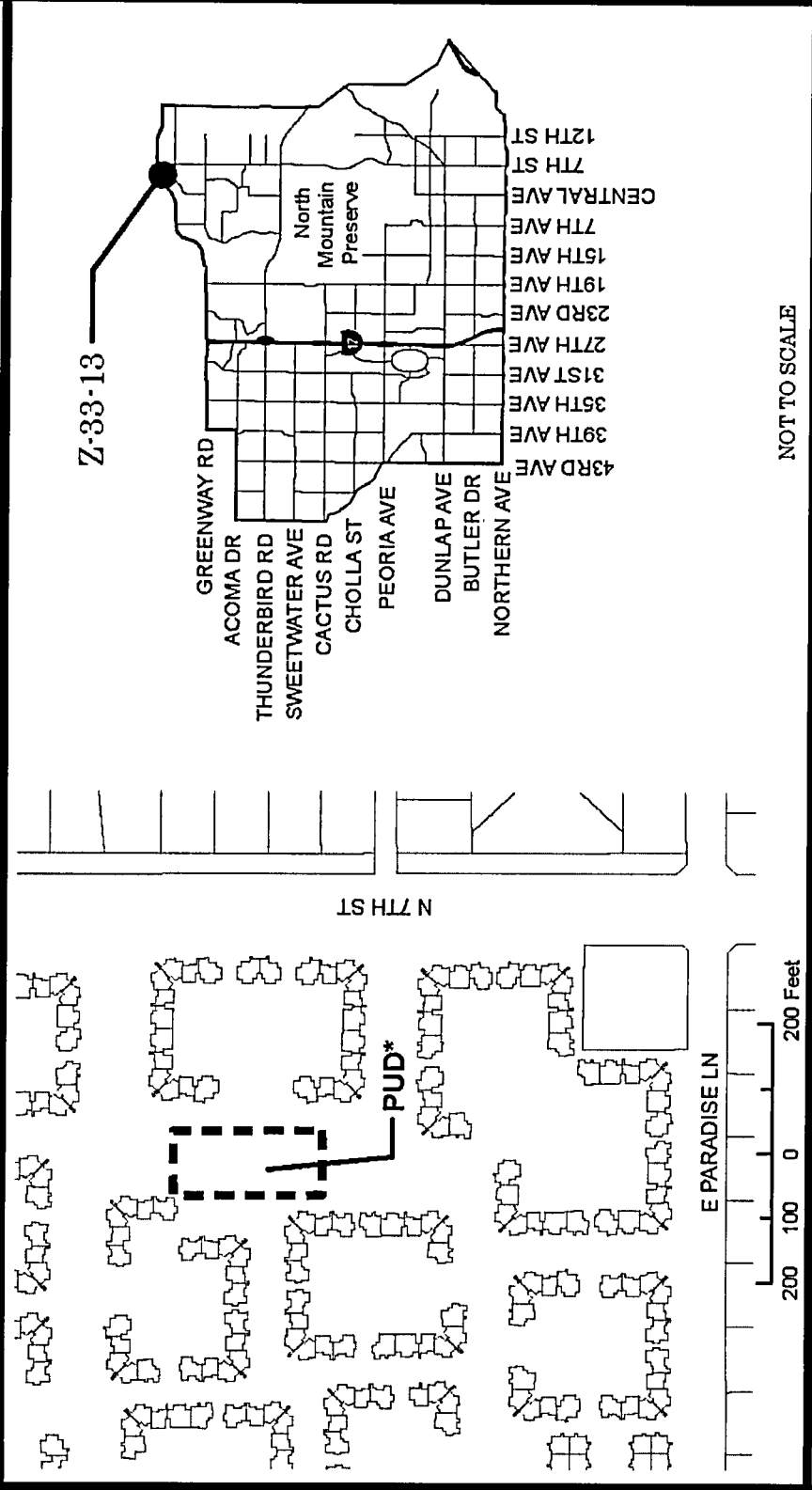
THENCE S. 0°15'21" E. 230.00 FEET TO THE POINT OF BEGINNING.

ATTACHMENT B

ORDINANCE LOCATION MAP

Zoning Case Number: Z-33-13-3
Zoning Overlay: N/A
Planning Village: North Mountain

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



NOT TO SCALE

Drawn Date: 11/6/13

Map Document N:\PDF_Maps\Ordinance_Map\2013