

ORDINANCE G-6127

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-22-13-7) FROM C-2 (INTERMEDIATE COMMERCIAL) AND R-5 (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 2.24 acre property located approximately 600 feet east and north of the northwest corner of Central Avenue and Baseline Road in a portion of Section 32, Township 1 North, Range 3 East, as described more specifically in Attachment "A", is hereby changed from "C-2" (Intermediate Commercial) and "R-5" (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 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 Hacienda Rivas 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 7, 2015 as modified by the following stipulations:
 - A. Page 2, Section D, General Plan Conformance: Update paragraph to read: "The subject site is designated on the Phoenix General Plan as Commercial, RESIDENTIAL 3.5 TO 5 DU/ACRE – TRADITIONAL LOT, and Residential 15+ du/acre – Higher Density Attached, as shown in Exhibit 4. ~~As with the zoning boundary discussed below, it appears the 191 feet of the subject site immediately west of central avenue has the commercial designation; the remainder of the subject site is residential/15+.~~"
 - B. Page 3, Table 1 – 1.: Update paragraph to read: "All uses permitted in Phoenix Zoning Ordinance §§ 608, AND 618 and ~~647~~ as they apply to the R-5 zoning district are allowed for the *westernmost 225 feet* of the subject site. Conditional uses (use permit ~~or special permit~~) and uses with specified standards in Phoenix Zoning Ordinance §§ 608, AND 618 and ~~647~~ as they apply to the R-5 zoning district must satisfy those standards and/or public hearing requirements and approvals. USES PERMITTED IN THE R-5 ZONING DISTRICT PER § 647 OF THE PHOENIX ZONING ORDINANCE SHALL BE PERMITTED SUBJECT TO THE CONDITIONS LISTED IN § 647 AND APPROVAL OF A SPECIAL PERMIT."
 - C. Page 3, Table 1 – 2.: Update paragraph to read: "All uses permitted in Phoenix Zoning Ordinance §§ 623 and ~~647~~ as they apply to the C-2 zoning district are allowed for the *easternmost 191 feet* of the

subject site. Conditional uses (use permit or special permit) and uses with specified standards in Phoenix Zoning Ordinance §§ 623 and 647 as they apply to the C-2 zoning district must satisfy those standards and/or public hearing requirements and approvals. USES PERMITTED IN THE C-2 ZONING DISTRICT PER § 647 OF THE PHOENIX ZONING ORDINANCE SHALL BE PERMITTED SUBJECT TO THE CONDITIONS LISTED IN § 647 AND APPROVAL OF A SPECIAL PERMIT.”

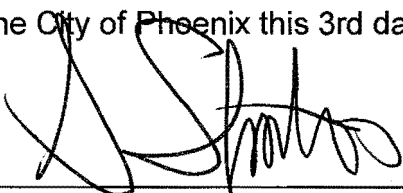
D. Page 6, Lighting Standards, Yard/Event Area standards: Update to read: “maximum 60 watt INCANDESCENT EQUIVALENT light bulbs”.

E. Page 16, General Plan Land Use Map Excerpt: Update map to include the portion of the subject property designated residential 3.5-5 du/acre – traditional lot on the General Plan Land Use Map.

2. That the property owner shall record documents that disclose the existence, and operational characteristics of City of Phoenix Sky Harbor International Airport 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 reviewed and approved by the City Attorney.

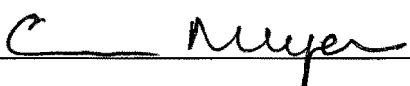
SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 3rd day of February, 2016.



MAYOR

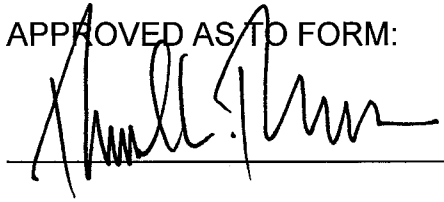
ATTEST:



City Clerk

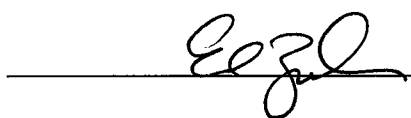


APPROVED AS TO FORM:



Acting City Attorney

REVIEWED BY:



City Manager

PL:tml:1217782v1: (CM#27) (Item #66) – 2/3/16

Attachments:

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

ATTACHMENT A

LEGAL DESCRIPTION FOR Z-22-13-7

That part of the Southeast quarter of the Southwest quarter of Section 32, Township 1 North, Range 3 East of the Gila and Salt River Base and Meridian lying North of the Western Canal, BEGINNING on the East line of said Southeast quarter of the Southwest quarter at a point distant 631.4 feet South of the Northeast corner of said Southeast quarter of the Southwest quarter

Thence North 89 degrees 56 seconds West 458 feet;

Thence parallel with the East line of said Southeast quarter of the Southwest quarter South to a point on the Northerly right-of-way line of the Western Canal;

Thence Northeasterly along said northerly right-of-way line of the Western Canal to a point where the said northerly right-of-way line intersects with the East line of said Southeast quarter of the Southwest quarter;

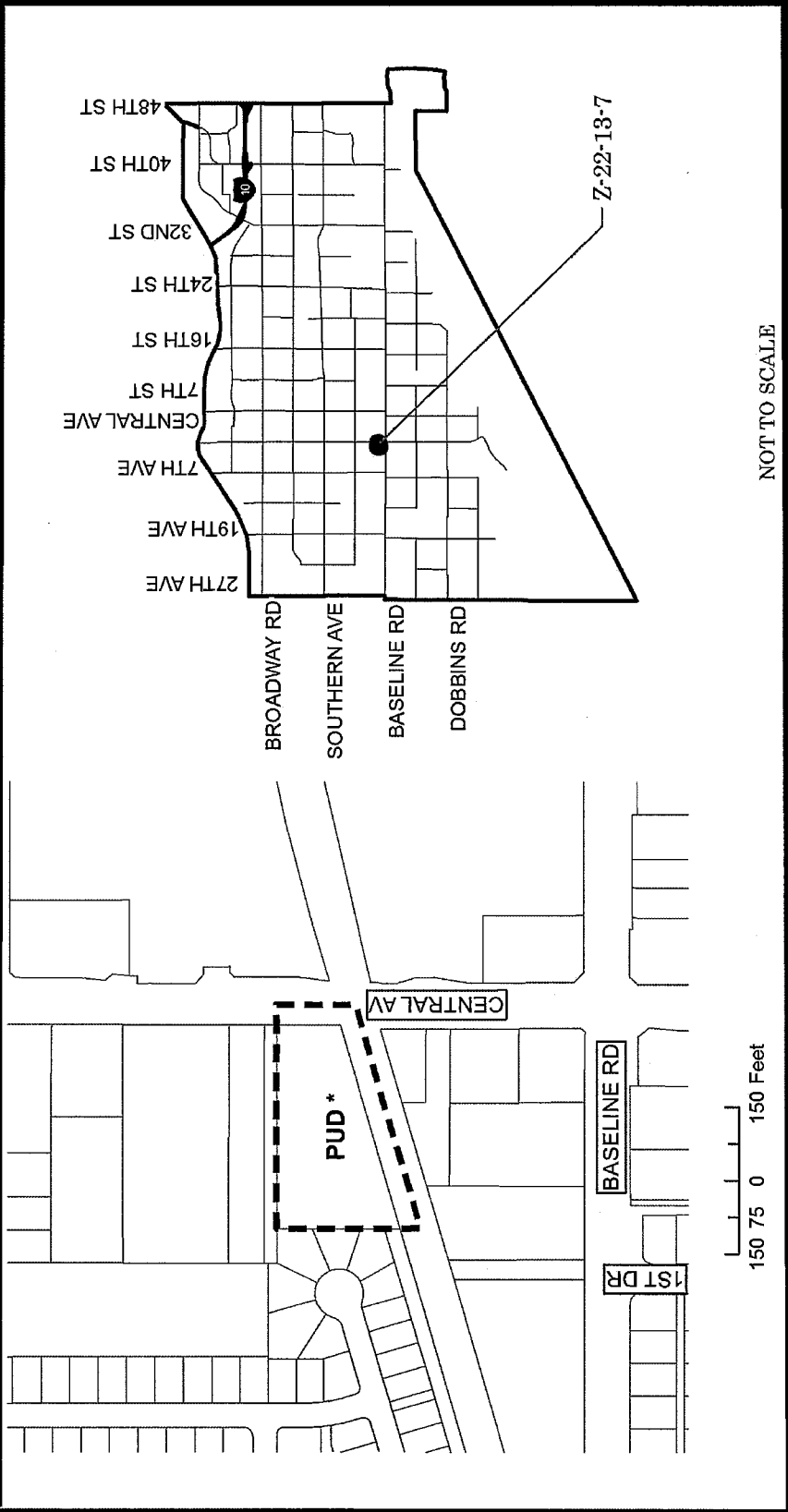
Thence North along said East line of the Southeast quarter of the Southwest quarter to the point of beginning.

ORDINANCE LOCATION MAP

ATTACHMENT B

Zoning Case Number: Z-22-13-7
 Zoning Overlay: N/A
 Planning Village: South Mountain

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



NOT TO SCALE

Drawn Date: 12/18/2015

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