



City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

July 13, 2021

Jason Morris
Withey Morris, PLC
2525 East Arizona Biltmore Circle, A-212
Phoenix, Arizona 85016

Dear Applicant:

RE: Z-56-20-4 – Southeast corner of 3rd Avenue and Coolidge Street

Please be advised that the Phoenix City Council, in accordance with the provisions of Section 601 of the Zoning Ordinance, as amended, has on June 2, 2021, approved Zoning Ordinance # G-6853.

Development and use of the site are subject to compliance with all applicable codes and ordinances.

Sincerely,


Joshua Bednarek, LEED AP ND
Planning and Development Deputy Director

Attachment: Signed Ordinance

- c: Donor Network of Arizona, 2010 W. Rio Salado Parkway, Tempe, AZ 85281
- Trinsic Residential Group, T. Gosselink, 4040 E. Camelback Rd. #222, Tempe, AZ 85281
- File
- Tricia Gomes, PDD–Planning–Special Projects Administrator (Electronically)
- Racelle Escolar, PDD–Planning–Planner III (Electronically)
- Nick Klimek, PDD–Planning–Village Planner (Electronically)
- Ben Kim, PDD–GIS (Electronically)
- Craig Mavis, PDD–Development (Electronically)
- Sina Mattes, City Council (Electronically)

When recorded mail to:

Official Records of Maricopa County Recorder

STEPHEN RICHER

20210855577 08/06/2021 04:25

ELECTRONIC RECORDING

6853G-10-1-1--A

HOLD FOR PICK UP
CITY OF PHX. ACCT #34

CAPTION HEADING: RE-RECORDING ORDINANCE G-6853

REASONING: TO REPLACE WITH THE REVISED VERSION PASSED BY THE PHOENIX CITY
COUNCIL ON 6/2/2021

DO NOT REMOVE

THIS IS PART OF THE OFFICIAL DOCUMENT.

ORDINANCE G-6853

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 (Z-56-20-4) FROM R-3 (MULTIFAMILY RESIDENCE DISTRICT) 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 a 3.29 acre property located at the southeast corner of 3rd Avenue and Coolidge Street, in a portion of Section 20, Township 2 North, Range 3 East, as described more specifically in Exhibit "A", is hereby changed from 0.18-acres of "R-3" (Multifamily Residence District) and 3.11 acres of "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 Exhibit "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 Aura Uptown 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 29, 2021, as modified by the following stipulations:

- a. Front cover: Revise the submittal date information on the bottom to add the following: City Council adopted: [add adoption date].
- b. Page 8, Development Standards Table, Building Height: Modify building height standard to read as follows:

North Street Frontage/West Street

Frontage: 48 feet maximum
(units along the north and west)

East Frontage/South Frontage: 48 feet maximum

(units along the north and west)

Garage: 56 feet maximum

- c. Page 8, Development Standards Table, Minimum Open Space: Modify minimum open space standard to read as follows:

15% publicly accessible open area as illustrated in Exhibit 9

(Open Space / Open Area Plan)

10% open space (Residents Only)

- d. Page 9, Landscape Development Standards Table, Canalscape; Modify the first bullet point to read as follows: A publicly accessible landscaped greenspace area shall be provided adjacent to the Arizona Grand Canal Trail on the south side of the property. At minimum, the green space area will measure 4,800 square feet, 15 feet in depth for a distance of 260 feet, 7 feet in depth for a distance of 70 feet, and shall be generally consistent with the landscape plan in Exhibit 7. A minimum of 3 pedestrian amenities, which could include but are not limited to, benches and shade canopies shall be provided within the landscape area.

- e. Page 9, Landscape Development Standards Table, Streetscape (Coolidge Street and 3rd Avenue Frontages); Add a bullet point to read as follows:
Half of the trees along the north and west perimeter shall be salvaged, and if unsalvageable they must be replaced with a minimum 4-inch caliper tree or two 2-inch caliper trees.
 - f. Updated Exhibit 7: Replace Exhibit 7 in the PUD Narrative with the updated landscape plan exhibit date stamped June 1, 2021.
 - g. New Exhibit 9: Add open space and open area plan exhibit date stamped June 1, 2021 to the PUD Narrative. Modify the table of contents and any other sections of the PUD Narrative to accommodate the addition of the new exhibit.
 - h. Page 8, Development Standards Table, Minimum Building Setbacks: Modify to increase the setback from the curb to minimum 20 feet and average 21 feet, 8 inches.
2. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
3. This parcel is in a Special Flood Hazard Area (SFHA) called Zone A, on panel 1740 L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013. The following requirements shall apply, as approved by the Planning and Development Department:
- a. The Architect/Engineer is required to show the floodplain boundary limits on the Grading and Drainage plan and ensure that impacts to the proposed facilities have been considered, following the National Flood Insurance Program (NFIP) Regulations (44 CFR Paragraph 60.3); this includes, but not limited to provisions in the latest versions of the Floodplain Ordinance of the Phoenix City Code.
 - b. A copy of the Grading and Drainage Plan shall be submitted to the Floodplain Management section of Public Works Department for review and approval of Floodplain requirements.
 - c. The developer shall provide a FEMA approved CLOMR-F or CLOMR prior to issuance of a Grading and Drainage permit.

4. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor 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.
5. The developer shall grant and record an avigation easement to the City of Phoenix for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.
6. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
7. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 Waiver of Claims form. 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.
8. The applicant shall file for and actively pursue the abandonment of right-of-way located south of Hazelwood Street and north of the Grand Canal along the 3rd Avenue alignment so that the area may be improved with landscaping and maintained in general conformance with the landscape plan date stamped June 1, 2021, as modified and approved by the Planning and Development Department.
9. The developer shall work with the neighborhood and the Street Transportation Department regarding "no parking" signs along Coolidge Street and 3rd Avenue.


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 June, 2021.




MAYOR

ATTEST:



Denise Archibald, City Clerk
08.03.2021



APPROVED AS TO FORM:
Cris Meyer, City Attorney

By: 
David Benton, Chief Counsel

Pml

REVIEWED BY: 
Ed Zuercher, City Manager

Exhibits:
A – Legal Description (2 Pages)
B – Ordinance Location Map (1 Page)

PL:tmi:LF21-1465:6-2-2021:2261536v1

EXHIBIT A

LEGAL DESCRIPTION FOR Z-56-20-4

A PORTION OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 2 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CALCULATED CENTER CORNER OF SAID SECTION 20, BEING THE INTERSECTION OF CENTRAL AVENUE AND CAMPBELL AVENUE AS REFERENCED IN THE MONUMENT CORNER TIES FOR LINE SECTION 2 CENTRAL PHOENIX LIGHT RAIL TRANSIT PROJECT, IN DOCUMENT 2009-0003295, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE NORTH 89 DEGREES 31 MINUTES 20 SECONDS WEST, ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 20, A DISTANCE OF 1,318.52 FEET TO A CITY OF PHOENIX BRASS CAP FLUSH "RLS 39131" MARKING THE CENTERLINE OF 3RD AVENUE AND CAMPBELL AVENUE;

THENCE NORTH 00 DEGREES 06 MINUTES 20 SECONDS WEST, ALONG THE CENTERLINE OF SAID 3RD AVENUE, A DISTANCE OF 564.11 FEET TO THE POINT OF **BEGINNING**;

THENCE CONTINUING NORTH 00 DEGREES 06 MINUTES 20 SECONDS WEST ALONG SAID LINE, A DISTANCE OF 416.71 FEET TO THE CENTERLINE OF 3RD AVENUE AND COOLIDGE STREET, BEING SOUTH 1.69 FEET AND 3.40 FEET OF TWO CITY OF PHOENIX BRASS CAPS;

THENCE SOUTH 89 DEGREES 27 MINUTES 41 SECONDS EAST, ALONG THE CENTERLINE OF SAID COOLIDGE STREET A DISTANCE OF 358.31 FEET, BEING 966.10 FEET WEST OF THE INTERSECTION OF CENTRAL AVENUE AND COOLIDGE STREET;

THENCE SOUTH 00 DEGREES 15 MINUTES 25 SECONDS WEST, A DISTANCE OF 348.85, FEET DEPARTING SAID COOLIDGE STREET, ALONG THE EAST LINE OF PARCEL 1 OF THAT SPECIAL WARRANTY DEED RECORDED IN 2001-0882094, AND THE SOUTHERLY PROLONGATION THEREOF, TO A POINT 25 FEET SOUTHERLY OF THE SOUTHERLY LINE OF SAID PARCEL 1, MEASURED AT 90 DEGREES;

THENCE ALONG A 25 FOOT SOUTHERLY OFFSET OF THE SOUTH LINES FOR LOTS 15, 17 AND 19 OF 'SUBURBAN ACRES' AS RECORDED IN BOOK 13, PAGE 22 RECORDS OF MARICOPA COUNTY, ARIZONA, SOUTH 72 DEGREES 19 MINUTES 53 SECONDS WEST, DISTANCE OF 65.89 FEET;

THENCE CONTINUING ALONG SAID SOUTHERLY OFFSET, SOUTH 74 DEGREES 12 MINUTES 10 SECONDS WEST, A DISTANCE OF 147.10 FEET;

THENCE CONTINUING ALONG SAID SOUTHERLY OFFSET, SOUTH 78 DEGREES 50 MINUTES 02 SECONDS WEST, A DISTANCE OF 123.95 FEET;

THENCE SOUTH 89 DEGREES 53 MINUTES 40 SECONDS WEST, A DISTANCE OF 30.00 FEET TO THE POINT OF **BEGINNING**.

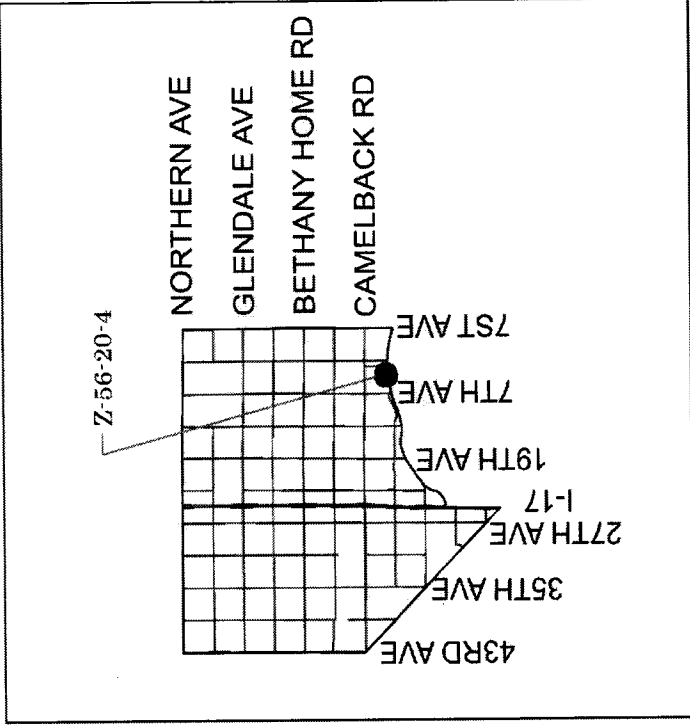
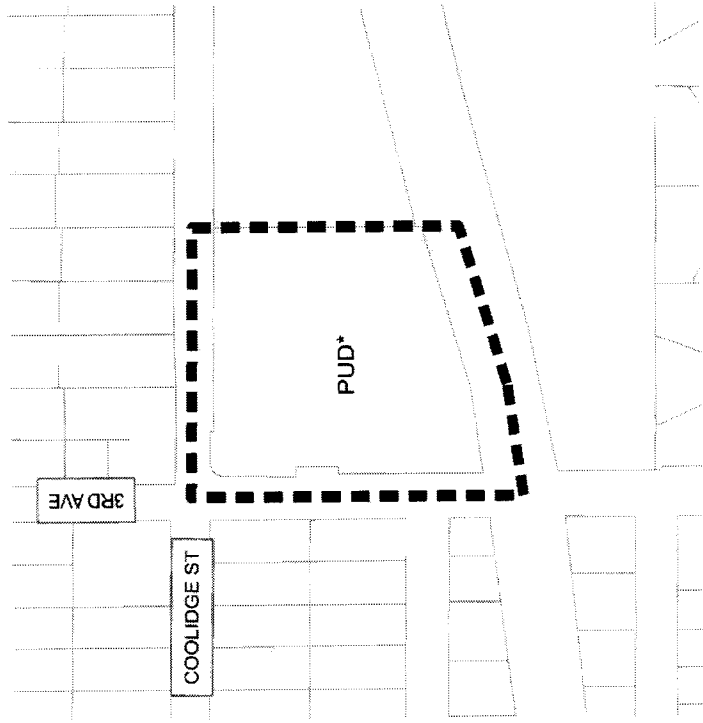
SAID PARCEL CONTAINS 142,789 SQUARE FEET OR 3.278 ACRES, MORE OR LESS.

EXHIBIT B

ORDINANCE LOCATION MAP

Zoning Case Number: Z-56-20-4
Zoning Overlay: N/A
Planning Village: Alhambra

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



NOT TO SCALE



Drawn Date: 5/10/2021

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