

THE ALWUN HOUSE PUD

Z-27-11-8

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By The Alwun House Foundation

CITY OF PHOENIX

JAN 14 2021

**Planning & Development
Department**

GENERAL STATEMENT REGARDING PLANNED UNIT DEVELOPMENTS

A Planned Unit Development (PUD) is intended to be a stand-alone document of zoning regulations for a particular project. Provisions not specifically regulated by the PUD are governed by the zoning ordinance. A PUD may include substantial background information to help illustrate the intent of the development. The purpose and intent statements are not requirements that will be enforced by the City. The PUD only modifies zoning ordinance regulations and does not modify other City Codes or requirements. Additional public hearings may be necessary such as, but not limited to, right-of-way abandonments.

This PUD provides the regulatory zoning provisions designed to guide the implementation of the overall development plan through the City of Phoenix development review and permit process. The provisions provided within this PUD shall apply to all property within the PUD project boundary. The zoning and development standards provided herein amend various provisions provided by the City of Phoenix Zoning Ordinance (as adopted and periodically amended). In the event of a conflict between a use, a development standard, or a described development procedure between the City of Phoenix Zoning Ordinance and the PUD, the PUD shall prevail.



PRINCIPALS AND DEVELOPMENT TEAM

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A. PURPOSE AND INTENT

The Alwun House and Green Art Park, referred to collectively here as “The Alwun House,” are located along the east side of 12th Street between Roosevelt Street on the south and Diamond Street on the north. The Alwun House now occupies almost an acre (gross) of land in the heart of Central Phoenix’s historic Garfield Neighborhood.

The Alwun House is currently zoned with a combination of R-5 RI HP ACOD and R-3 RI, a total of five different zoning categories. In addition, there are use permits and variances on the property as well, relating to events and signage. The purpose of this PUD is to replace the zoning categories and the substance of the zoning adjustments with a single category, PUD, while retaining the Historic Preservation Overlay over the home. The PUD is also the ideal mechanism to integrate the longstanding uses of the Alwun House parcel with the newly acquired Green Art Park parcels. The single PUD category will retain virtually all of the existing rights that come from the various current zoning designations, and will simultaneously clarify the unique nature of the Alwun House as an artistic center and gathering place for cultural and social events.

The Alwun House itself was constructed in 1912 by Joseph Sedler. The Alwun House was placed on the Arizona State Historic Preservation Office’s Inventory of Historic Properties, on May 11, 1993. On February 9, 2005 the City of Phoenix placed the Alwun House on the City’s list of registered historic properties for the House’s individual significance.

The Alwun House began its current life as a cultural center for the Garfield Neighborhood and all of Central Phoenix under the auspices of the Alwun House Foundation in 1971. The House and Foundation is now approaching their 50th Season. The House hosts ongoing artistic events and gatherings to serve both the Central Phoenix artistic community as well as the broader Garfield and Central Phoenix neighborhoods. As a general gathering space and to support its ongoing artistic activities, the House is also utilized for a wide variety of private gatherings.

Recently, as part of its ongoing efforts to support both the functions of the Alwun House and the continued vitality of the Garfield Neighborhood, the Foundation acquired two adjacent, neglected properties to the north across the alley. These parcels wrap around, but do not include, the existing structure at the southeast corner of 12th Street and Diamond Street, providing frontage along both streets.

The Foundation will exercise the same level of stewardship for these newer properties it has shown for the House. Specifically, the Foundation intends to use these additional properties both as parking and outdoor gathering space for functions taking advantage of Arizona’s outdoor climate for much of the year. As part of its stewardship, and to achieve these goals, the Foundation will provide the same level of lush landscaping it has developed at the House. This intense greenery will benefit the surrounding Garfield residences, and will signal a commitment to combating the heat island effect of too many under-landscaped parking facilities in the heart of the City.

To memorialize and unify the scope of this expansion of the Foundation’s work, the Foundation is proposing a Planned Unit Development (PUD) for the entire 0.97 acre site, utilizing the City’s newly created zoning category for unique master planned settings, large or small. A more expansive discussion of the zoning history of the property and why the PUD embodies the unique nature of the site is presented in a later section.

This site would also retain its Historic Preservation Overlay, to ensure continued preservation consistent with that zoning designation.

B. EXISTING SITE CONDITIONS AND LOCATION

The Alwun House has an extensive zoning history. The current zoning of the House is R-5 RI HP, and the House is also located within the Arts, Culture and Small Business Overlay District (the “Arts Overlay”). The House also has a Use Permit.

Multi-family zoning districts such as the R-5 District are commonly found in single family neighborhoods in the historic neighborhoods of Central Phoenix. They harken back to a time when small, multi-family properties and neighborhood commercial uses were commonly mixed in with single family homes. The R-5 District does allow an unusual variety of uses, including private clubs, offices, convenience markets and hotels.

The Residential Infill (RI) designation was added to the Zoning Ordinance a few decades ago in an attempt to encourage the redevelopment of then depopulating and destabilizing central city neighborhoods with more intense multi-family projects.

The Historic Preservation designation has been established through much of the Garfield Neighborhood, as in many of the Central City’s older neighborhoods. As detailed above, the Alwun House is clearly a significant contributor to the historic character of the Garfield community and the early history of the entire Valley.

The City originally approved a Use Permit and Variance in 1993 (Case No. ZA-94-93-8) to allow the House to provide entertainment in conjunction with its events, and to substantially reduce parking requirements. The Zoning Adjustment Hearing Officer reviewed these approvals in 1996 (Case No. ZA-119-96-8), and decided to make them permanent. Even then, the City already had started to recognize the need for more flexibility at this important neighborhood cultural center. The Use Permit allows amplified music until 10 PM, except on Friday and Saturday nights, when the Use Permit allows amplified music until 11 PM. It should be noted here that these hours of approval exceed the hours of operation for amplified music later permitted more broadly by the City

in the Arts Overlay District. The Variance reduced the parking requirement for the House from ninety-three spaces to six spaces. The House has operated under this approval for nearly two decades now without incident.

In 1996, the City approved a second Variance for the Alwun House, this one to allow the Alwun House to erect and maintain a community sign for the Garfield neighborhood at the southeast corner of the lot. That community sign has been maintained at the Alwun House property since that time, serving as a resource for the entire neighborhood.

Finally, in 2007, the City approved third set of Variances for the Alwun House, this to allow the House to erect a ten foot tall sculptural monument sign along its Roosevelt frontage. What may be most telling about this application is that after more than a decade of operation under the City’s prior approvals, this application came to the City’s Planning and Development Department with broad support not just from the neighborhood but also from a range of City Departments which have worked with the Alwun House over the years.

The City added the Arts Overlay District in 2008, after extensive community outreach. By its own terms, the Overlay was designed to provide flexibility to downtown area properties in recognition of the breadth of activities occurring on artistically oriented sites. The Arts Overlay District allows restaurants and outdoor events subject to detailed limitations. In a sense, the Arts Overlay was a predecessor to the PUD, the City’s most effective tool yet for providing flexibility within a defined set of parameters. As previously noted, the Alwun House’s unique Zoning Adjustments from the prior decade actually exceed the flexibility allowed by the Overlay, thus foreshadowing the appropriateness of PUD zoning for this unique cultural treasure.

The newly acquired parcels are zoned more simply, R-3 RI. The newly acquired parcels do not have an HP overlay, nor are they included within the Arts Overlay. The R-3 zoning again demonstrates the prevalence of multi-family zoning on small sites within inner City communities. The origins of the RI designation have already been described above.

The absence of the HP or Arts designations are not surprising on these lands that have not contributed to the rebirth of the Garfield neighborhood.

The precise legal description for the PUD HP is provided in **Exhibit 1.0, PUD HP Area Legal Description**.

See **Exhibit 2.0, Surrounding Use & Approvals**, for a depiction of the context of the Alwun House property.

C. GENERAL PLAN CONFORMANCE

The current General Plan designates this site for High Density Residential, 15+ du/ac. (**Exhibit 3.0, Existing General Plan Land Use**). The General Plan designation dates back to the 2002 General Plan, and does not reflect the advent of the Arts Overlay. In addition, the General Plan does not function effectively for parcels under ten acres such as this. Therefore this PUD does not attempt to document conformance to the City's General Plan.

The current Street Classification Map designates Roosevelt as a minor collector street with a Low Density Residential character. (**Exhibit 4.0, Existing Street Classification Map**). 12th Street and Diamond Street do not appear on the Street Classification Map, as they are residential streets. We are proposing no changes to the layout or designation of any of these streets.

D. ZONING AND LAND USE COMPATIBILITY

The Garfield neighborhood continues to thrive, despite the challenges imposed on the community. Those challenges have been documented many times, most clearly in the Garfield Area Redevelopment Plan. The detail of those prior efforts need not be reiterated here in their entirety. Suffice to say, Phoenix's flight to the suburbs, the construction of Interstate-10, numerous failed redevelopment plans for downtown, and the City acquisition and demolition of much of the Evans-Churchill housing stock on the west side of 7th Street have presented endless challenges to Garfield.

Despite that, Garfield has been represented by a steadfast core of residents and responsible property owners who are committed to the neighborhood. Arts have proven to be a critical component of that core. The Arts community in the Central City has grown organically, at the grass roots, with little assistance from outside the community or from the City. The First Friday program has made that health visible to the broader population, and the 2008 Arts Overlay represents a bona fide effort by the City to recognize and nurture that source of vitality.



Meanwhile, the City has finally identified a source of stability and redevelopment on the west side of 7th Street, with the development of T-Gen, the University of Arizona Medical School, and Arizona State University's downtown campus. This explosion of technical, intellectual and educational energy has already brought significant positive change to the overall area. It has also brought a few challenges, such as the rapidly increasing presence of student housing in the area.

The Alwun House's embrace of the PUD zoning category is a natural progression of the history of using zoning to spur continued redevelopment of the area. The R-5 was first,

then came the RI, then the Arts Overlay, all designed to provide flexibility and a breadth of land uses and relaxed development standards so that owners could be creative with their land. The owners of the Alwun House have clearly done just that: been creative, responsible stewards for their property for five decades now.

In 2008, the City adopted PUD zoning. The first property to use the PUD option was the historic Arizona Biltmore Hotel. Alwun House wishes to proceed in a similar manner, using the flexibility of the PUD option in conjunction with the HP designation to fully realize the opportunities for the continued vitality of what has become a neighborhood institution. Rather than fit the Alwun House into the confines of the Arts Overlay District, the PUD allows the Alwun House to incorporate its newly acquired properties into an individually tailored master plan that is specifically responsive to the contributions the House has made in the past and will continue to make into the future.

See **Exhibit 5.0, Existing Zoning Plan**, and **Exhibit 6.0, Proposed Zoning Plan**, for a depiction of the current and proposed zoning pattern affiliated with the Alwun House property and the context area.

E. LIST OF USES & PERFORMANCE STANDARDS UNIQUE TO SPECIFIC USES

The Alwun Center PUD allows for significant flexibility regarding land uses, while leaving the HP designation of the portion of the property south of the alley intact. This PUD has two primary intentions, and these two intentions should guide its enforcement.

First, it is the intent of this PUD to promote uses that will allow the full spectrum of these art uses: production, installation, exhibition, sale, teaching and study. When this PUD refers to “Artists,” this includes but is not limited to painters; sculptors; jewelers; individuals working with metals (including the welding of metals for artistic purposes), woods, ceramics (including the firing of materials for artistic purposes), or fabrics (including the design and sale of clothing); dancers; photographers; musicians; theatrical artists (including actors and

actresses); and performance artists. The concept of art is one that is constantly evolving, and this PUD envisions the broadest possible concepts of art. This PUD should never be used to restrict the content of art.

Second, it is the intent of this PUD to allow a wide range of gatherings at this site. This includes both public gatherings, for art exhibitions and performances, for example, as well as private, social uses of the space, ranging from family weddings to board and other group meetings to parties for any sort of group. These uses can occur both inside and outside, including on the land located on the north side of the alley, to take proper advantage of Arizona’s attractive climate.

In addition, the PUD allows residential uses, consistent with the neighborhood context of the site.

The PUD provides a comprehensive list of permitted primary and accessory land uses, as well as additional uses associated with Performance Standards or a use permit to ensure compatibility within and adjacent to the development. This PUD will allow flexibility and creativity in the type of uses allowed within the development while ensuring appropriate measures are taken to protect surrounding properties from any potential impacts of those uses.

The property owner within the defined limits of the Alwun House PUD may request an interpretation of analogous use to the defined list below from the City of Phoenix Zoning Administrator. The Zoning Administrator may administratively approve a use analogous to those listed below.

Table 1: PERMITTED USES & STANDARDS

1. Antiques, Crafts & Collectibles Sales
2. Art galleries
3. Artist studios/galleries
4. Architects’ Supplies
5. Artist’s Materials & Supplies, Retail Sales
6. Assembly Halls & Auditoriums
7. Bakers & Baked Goods, Retail Sales
8. Beauty and Barber Shops, including Massage Therapy
9. Book stores, not including adult book stores

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| <ul style="list-style-type: none"> 10. Book, Stationery & Greeting Cards 11. Candy & Ice Cream Store 12. Clothing Alteration 13. Clothing, Retail Sales 14. Coffee, Retail Sales 15. Community Garden 16. Confectioners, Retail 17. Cultural Institutions 18. Curios, Retail 19. Day Spa 20. Delicatessen & Catering Establishment 21. Exercise and yoga studios 22. Farmers Markets 23. Florist, Retail 24. Furniture, Repairing & Refinishing 25. Furniture, Retail 26. Gift, Novelty & Souvenir Shop 27. Glass Shop, Custom 28. Grocery 29. Home Furnishings 30. Live Entertainment, Indoor <ul style="list-style-type: none"> • Hours of operation are limited from 10:00 a.m. to 12:00 a.m. (14 hours per day – permitted indoor use) • Hours of operation may be extended subject to obtaining a Use Permit in accordance with the standards and procedures of Section 307 of the Zoning Ordinance 31. Live Entertainment, Outdoor <ul style="list-style-type: none"> • Hours of operation are limited to 10:00 a.m. to 10:00 p.m. Sunday through Thursday (12 hours per day – permitted outdoor use), and 10:00 a.m. to 11:00 p.m. Friday and Saturday (13 hours per day – permitted outdoor use) • Hours of operation may be extended subject to obtaining a Use Permit in accordance with the standards and procedures of Section 307 of the Zoning Ordinance 32. Live-Work Units 33. Musical Instruments, Repairing & Retail Sales 34. Office 35. Outdoor cultural events and performances, including but not limited to outdoor events or performances that are open to the public and that feature visual art, music, dance, theater, performance art, science, design or cultural heritage, subject to the following: | <ul style="list-style-type: none"> • Hours of operation are limited to 10:00 a.m. to 10:00 p.m. Sunday through Thursday (12 hours per day – permitted outdoor use), and 10:00 a.m. to 11:00 p.m. Friday and Saturday (12 hours per day – permitted outdoor use) • Hours of operation may be extended subject to obtaining a Use Permit in accordance with the standards and procedures of Section 307 of the Zoning Ordinance <ul style="list-style-type: none"> 36. Parking, on and off site uses. 37. Photo-Engraving Company 38. Printers 39. Public assembly uses, including but not limited to private meetings, business retreats and meetings, wedding ceremonies, funeral memorials, educational and health fairs and workshops, and private parties, all of which may include outdoor dining and consumption of alcohol. 40. Residential 41. Restaurants, subject to the following conditions or limitations: <ul style="list-style-type: none"> 1) Music or entertainment shall be limited to recorded music or one entertainer unless a use permit is obtained in accordance with the provisions of the zoning Administrator Section of the Zoning Ordinance. 2) Outdoor dining, subject to obtaining a use permit in accordance with the provisions of the Zoning Administrator Section of the Zoning Ordinance. • Hours of operation may be extended subject to obtaining a Use Permit in accordance with the standards and procedures of Section 307 of the Zoning Ordinance |
|--|--|

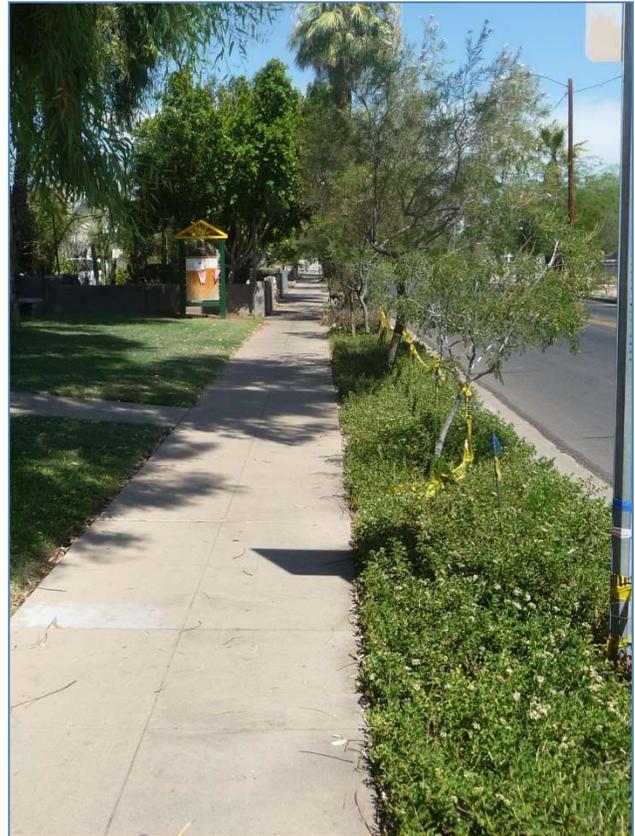
42. Retail / General Merchandise
43. Retail food sales, Indoor or Outside, not including alcohol
44. Window Display Installations, Studio & Shops
45. Wireless Communication Facilities, subject to the standards set forth for such facilities in the City of Phoenix Zoning Ordinance for properties zoned R-5
46. Mobile Food Vendors, including Mobile Food Vending Units, subject to City Code
 - Hours of operation are limited from 10:00 a.m. to 12:00 a.m. on Friday and Saturday.
 - Hours of operation are limited from 10:00 a.m. to 10:00 p.m. Sunday through Thursday.
 - Hours of operation may be extended subject to obtaining a Use Permit in accordance with the standards and procedures of Section 307 of the Zoning Ordinance.
 - No mobile food vending unit shall be placed within fifteen (15) feet of N. 12th Street or E. Diamond Street.
 - Mobile Food Vendors shall operate only upon surfaces that comply with the dustproofing and paving requirements for parking and maneuvering areas as set forth in Section 702 of the Zoning Ordinance.
 - Mobile food vending shall not reduce the amount of required parking spaces per the PUD standards.
47. Raising and harvesting of field, tree or bush crops, including flowers, for retail sale

Accessory Uses:

Sales of alcoholic beverages are permitted as an accessory use to any of the Table 1 permitted uses listed above, subject to conformance with State regulations.

F. DESIGN EXPECTATIONS & DEVELOPMENT STANDARDS

It is the purpose and intent of the provisions defined within the Alwun House PUD to promote the development of a community-oriented, multi-use arts center and gathering place. Further, the provisions of the PUD will ensure compatibility with surrounding neighborhood. The Alwun House remains committed to preserving the



property's important historic role while keeping the property vibrant and relevant today and into the future.

DEVELOPMENT STANDARDS:

The Alwun House will continue to comply with the Historic Preservation requirements of the City Zoning Ordinance for the portion of the site south of the alley, where the HP Overlay already exists.

This PUD also provides additional supplemental design principles, which are included in the development and landscape standards tables in *italics*. The inclusion of Development Standards within the Alwun House PUD protects adjacent property owners surrounding the property. The standards identified herein pertain to density/intensity, setbacks, height, and building separation.

Zoning Ordinance Applicability: The intended regulatory applicability of the Zoning Ordinance of the City of Phoenix, Arizona, as adopted and periodically amended, is applicable to Alwun House except as modified by the

Development Standards contained within this Planned Unit Development. The proposed density and height limits simply reflect the site’s current R-5 RI entitlements, although the PUD foregoes the density bonus calculation available under the RI Overlay. The PUD measures building and landscape setbacks from the back of curb to properly reflect the fact that in this older neighborhood, the City’s right-of-way goes well beyond the street pavement, and includes landscaped median strips behind the curb, creating public setbacks not common to more modern parts of the City.

Table 2: DEVELOPMENT STANDARDS

DEVELOPMENT STANDARDS	
Density and number of dwelling units	Residential density shall not exceed 45.68; 52.20 with bonus
Minimum lot width/depth	None
Lot Coverage	50%
Building setbacks: (minimums measured to back of curb)	All Streets: 20 ft. Alleys / Interior property lines: 0 ft. East Perimeter line: 5 ft. building Rear /Interior building setbacks: 0 ft.
Accessory Structures	Allowed within required East Perimeter Building and Landscape Setback, not to exceed 300 square feet in area and 15 feet in height.
Building Separation	Building Separation shall be per the Unified Building Code.
Building Height	South of Alley: 56 feet North of Alley: 30 feet

LANDSCAPE DESIGN GUIDELINES & STANDARDS:

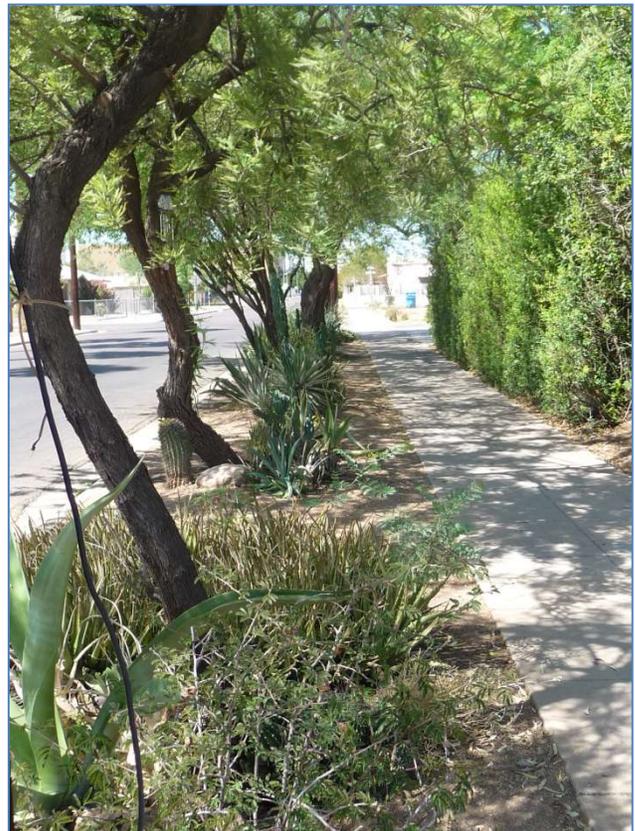
Alwun House is a lushly landscaped oasis in the heart of the City. It reflects the historic past of the central city, where irrigation allowed for dense landscaping that provided shade during the day and cool in the evening.

The Green Art Park is a new and different type of oasis. The Green Art Park will provide a space that can be used to provide parking for gathering events at the Alwun House, or can be utilized as an outdoor gathering space itself. And regardless of what might be happening at any moment, the Green Art Park will always be a place where art is on ready display. In sharp contrast to the typical suburban parking lot – a vast expanse of sparsely

landscaped moonscape – the Green Art Park will have a densely planted perimeter providing a rich canopy over a parking field made of pervious concrete, allowing even the hardscape to breathe.

The Alwun House and Green Art Park are separated by a narrow alley. Common landscape materials will unite them visually. Pedestrian access points across the alley will allow seamless interaction between the two parcels.

The rich landscaping of the property serves not only as a visual treat for the surrounding community, it also serves



as a peaceful buffer, separating the activities within the Alwun House site from the surrounding residential community.

For purposes of the Alwun House PUD, it is expressly noted that “shrubs” includes desert succulents such as agave.

Table 3: LANDSCAPE STANDARDS

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LANDSCAPE STANDARDS <i>(design guidelines in italics)</i>	
Streetscape	<p>1) A three (3) foot landscaped setback from back of curb shall be established and maintained along all Street frontages:</p> <ul style="list-style-type: none"> ▪ Landscaping within public rights-of-way is included in this calculation. ▪ Perimeter fencing can be located within this setback outside right-of-way, but landscaping must continue interior to any such fencing. ▪ This requirement does not apply to the alley. <p>2) Planting Quantity:</p> <ul style="list-style-type: none"> ▪ One (1) tree for every twenty (20) feet of Street frontage. ▪ Five (5) shrubs shall be planted for each tree. <p>3) Planting Size:</p> <ul style="list-style-type: none"> ▪ 75% of new trees shall have a 2 inch caliper, and ▪ 25% of new trees shall have a 1 inch caliper.
Perimeter Property Landscape Lines (minimums measured to back of curb)	<p>Roosevelt and 12th Streets: 20 ft.</p> <p>Diamond Street: Match the average landscape setback of adjacent properties on the south side of Diamond Street for 150 feet in each direction (stopping at 12th Street to the west).</p> <p>Alleys: 0 ft.</p> <p>Interior Property Lines: 0 ft.</p> <p>East Perimeter Property: 5 ft., except for Accessory Structures located within required building setback.</p> <p>1) Planting Quantity:</p> <ul style="list-style-type: none"> ▪ One (1) tree for every thirty (30) feet of non-street perimeter frontage. ▪ Five (5) shrubs per tree. <p>2) Planting Size:</p> <ul style="list-style-type: none"> ▪ 10% of new trees shall have a 2 inch caliper, and ▪ 90% of new trees shall have a 1 inch caliper.

LANDSCAPE STANDARDS <i>(design guidelines in italics)</i>	
Parking Lot Landscaping	<p>1) Ten percent (10%) of the surface parking lot, shall be landscaped. Landscaping shall be dispersed throughout the parking area.</p> <p>2) All parking areas shall be screened from view from adjacent streets and lots to a minimum height of three (3) feet above the nearest adjacent paving grade by means of a combination of walls, undulating berms and landscaping consisting of minimum 5-gallon shrubs. Shrubs used for screening shall be of an evergreen variety.</p> <p>3) Landscape Planters:</p> <ul style="list-style-type: none"> ▪ At ends of each row of parking and for every eleven (11) parking spaces. ▪ Each landscape island shall contain one (1) tree and five (5) shrubs (5 gallon). <p>4) Parking lots with a minimum of ten spaces may be developed with pervious surfaces, including but not limited to grass-crete, pervious concrete or asphalt, or spaced pavers.</p>

GROUND COVER:

Dustproofing materials include a smooth layer of crushed rock, river rock or gravel, no smaller than one-quarter (¼) inch and no larger than 2 inches maintained to a minimum depth of two (2) inches, contained within a permanent border.

APPROVED PLANTINGS:

Consistent with the historic oasis nature of this property and its history harkening back to a time when all of Central Phoenix was flood irrigated, there are no restrictions of plant materials within the Alwun House PUD, outside of the right-of-way.

PARKING STANDARDS:

Alwun House is located within a mature, dense, urban community. On-street parking is readily available. Vast suburban parking fields are unknown and unwelcome,

wasting valuable real estate. Indeed, in the nearby Downtown Core, only properties providing residential uses are required to provide any parking at all. And, as detailed above, the Alwun House has operated for almost twenty years under a Variance reducing its required parking from ninety-three spaces to six spaces. During most times, the Green Art Park will add a substantial amount of parking to the site well beyond the current requirements. But for the Green Art Park to be available to serve its multi-use function, it cannot be set aside solely for any single use, including parking.

For these reasons, the Alwun House PUD requires a maximum of six (6) parking spaces on-site, which is simply a continuation of its current, longstanding requirement. There is one exception to this parking requirement. If a restaurant becomes a primary use, that use shall provide parking in one of two ways: i) in conformance with the City's current requirements for restaurants in addition to the required six parking spaces: 1 space per 1000 square feet (including outdoor dining/sales), exclusive of kitchen, rest rooms, storage, etc., or ii) providing a parking management plan evidencing projected parking demand and supply, to be approved by the Planning and Development Department Director or his designee.

Surface parking space dimensions for perpendicular parking shall be eight and one-half (8 1/2) feet wide by eighteen (18) feet deep.



The Alwun House PUD also requires a minimum of ten (10) bicycle parking spaces.

SOUND RESTRICTIONS:

In contrast to other PUDs, the Alwun House PUD is proposed on a small property located in a dense, existing urban neighborhood. Such neighborhoods already experience sound differently than other parts of the City: white noise from the nearby Interstate, traffic sounds from arterials such as 7th Street, and helicopter overflights to and from Good Samaritan Hospital, Maricopa Medical Center, and by the police and media. The already mixed nature of land uses also means there is a different ambient sound condition: multi-family homes are next to single family homes, small grocers and other businesses are integrated into the neighborhood, schools and churches can still be found inside of the neighborhood, instead of being relegated to the perimeter collector streets.

The Alwun House PUD is and will continue to be a gathering place, and as such, it will generate noise from time to time. As previously described, the Alwun House has in fact operated for almost twenty years under an existing Use Permit that allows the Alwun House to use amplified music during certain prescribed late hours, a Use Permit that exceeds the recent Arts and Culture Overlay hours. To that end, as detailed above in **Table 1**, there are express limitations on hours of operation of those permitted land uses that can be expected to generate a noticeable amount of noise. The PUD generally follows the standards set forth in the existing Use Permit, with some additional detail and modifications regarding total hours of operation and indoor entertainment.

LIGHTING PLAN:

Outdoor lighting fixtures shall incorporate light cut off shielding as necessary to direct light downward and away from any adjacent residential use. Lighting may need to be controlled and mitigated through the use of mature landscape buffers or other shielding techniques as approved by the Planning and Development Department. The Alwun House PUD shall otherwise comply with lighting standards as defined within the Environmental Performance Standards and the Guidelines for Design Review Section of the Phoenix Zoning Ordinance.

G. SUSTAINABILITY

What is more sustainable than infill development and urban vitality? Alwun House preserves and maintains a century old building that represents the original settlement of modern Phoenix. Alwun House provides a cultural gathering center at the heart of an inner City neighborhood that has a long history of broader disregard and neglect. Alwun House nurtures a lush landscape consistent with its agrarian past, mitigating the heat island style of modern design that so often ignores our native climate. Everything about Alwun House represents sustainability.

The Green Art Park continues this tradition, incorporating abandoned, vacant inner city lots, and converting them into a multi-use space that can be used for a variety of supportive and independent uses. Many of the uses that will occur there are designed to take advantage of the significant part of the year when outdoor living is emblematic of the Valley's quality of life. Regardless of the use, the Park will have extensive landscaping consistent with what has been nurtured already at the Alwun House.

H. INFRASTRUCTURE

CIRCULATION SYSTEM:

The Alwun House PUD is adjacent to two existing collector streets, Roosevelt and 12th Streets. Alwun House will continue to rely on these two streets, as it has done for decades. In addition, the Alwun House PUD will also have secondary access to Diamond Street, a local street along the north perimeter of the PUD. This secondary access will provide a more circular ingress and egress route, minimizing reverse and turning movements for visitors to Alwun House.

The Alwun House PUD is divided by a longstanding alley. Alwun House PUD will respect the existence of this alley as part of a larger traditional fabric for historic communities throughout central Phoenix. This will include the continued use of the alley for public services, including sanitation, so that the fronts of the community

can be reserved as the "face" of the community. At the same time, the Alwun House will make sure that its two constituent parts are able to make use of the alley as a pedestrian link. This will put eyes and activity into the alley, making the alley even safer and ensuring that the limited vehicular use of the alley observes appropriately low volumes and speeds.

WATER AND WASTEWATER SERVICES:

The Alwun House PUD will continue to rely on existing City of Phoenix water and wastewater services.

I. SIGNS

The Alwun House PUD already has two signs permitted under existing Variances that will continue to run with the land following approval of this PUD.

The Alwun House PUD is also permitted to have signage in accordance with properties zoned R-5 in Section 669, Arts, Culture and Small Business Overlay district.



INDEX OF EXHIBITS

Exhibit 1.0, PUD HP Area Legal Description

Exhibit 2.0, Surrounding Use & Approvals

Exhibit 3.0, Existing General Plan Land Use

Exhibit 4.0, Existing Street Classification Map

Exhibit 5.0, Existing Zoning Plan

Exhibit 6.0, Proposed Zoning Plan

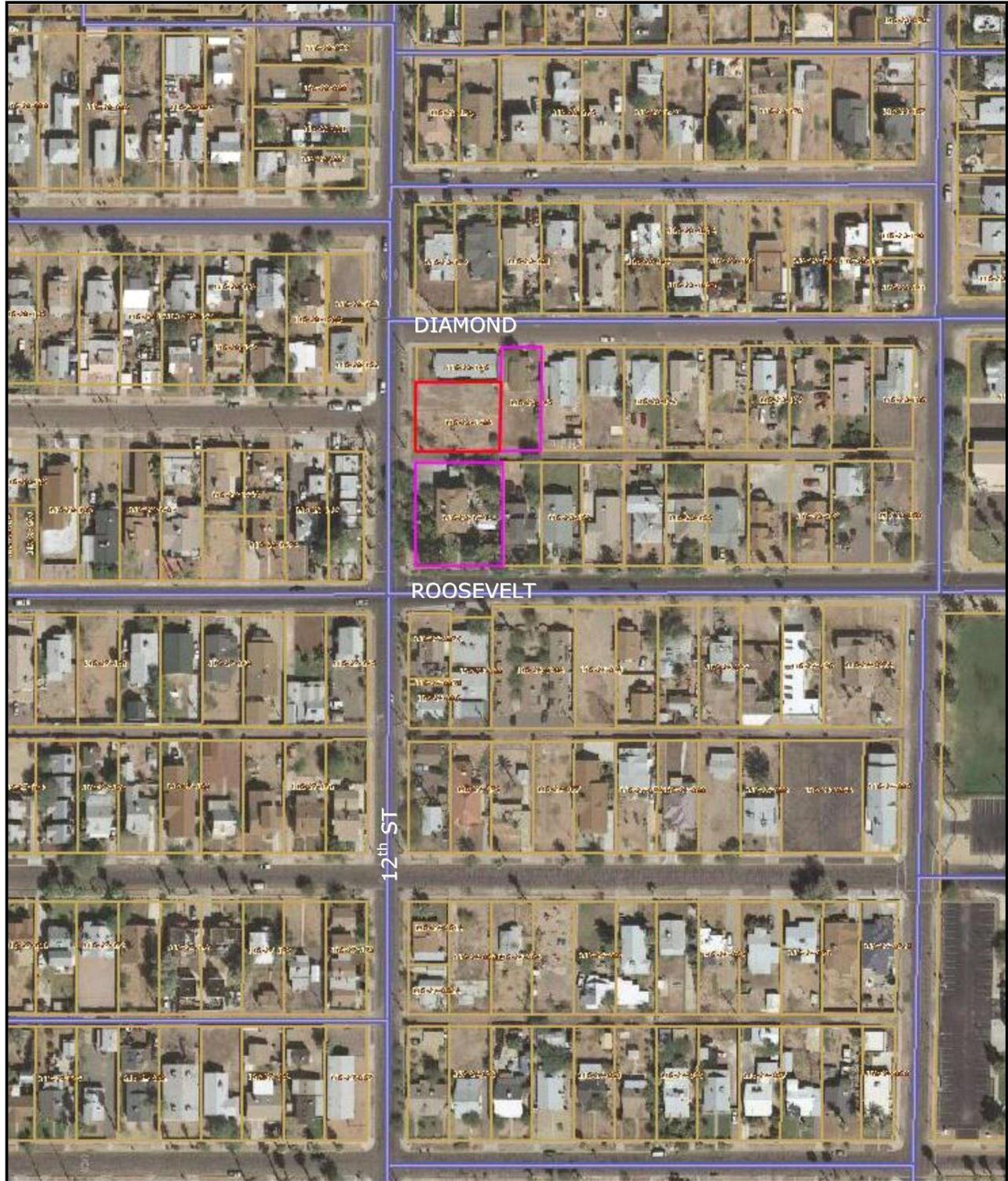
Legal Description

Northern Parcel (APN 116-23-148B)

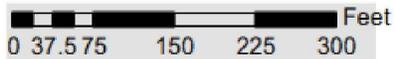
Lot 10 TOGETHER WITH the South 84 feet of Lots 11 and 12 in SEDLER'S ADDITION, according to the plat of record in the Office of the County Recorder of Maricopa County, Arizona, recorded in Book 7 of Maps, Page 27.

Southern Parcel (APN 116-23-149A)

The following real property situation in MARICOPA County, Arizona: Lots 13 and 14, SEDLER'S ADDITION, according to Book 7 of Maps, page 27, records of MARICOPA County, Arizona.



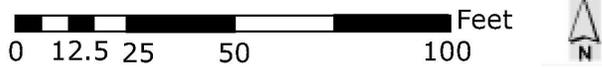
Alwun House– Aerial Vicinity

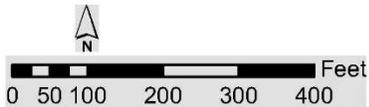
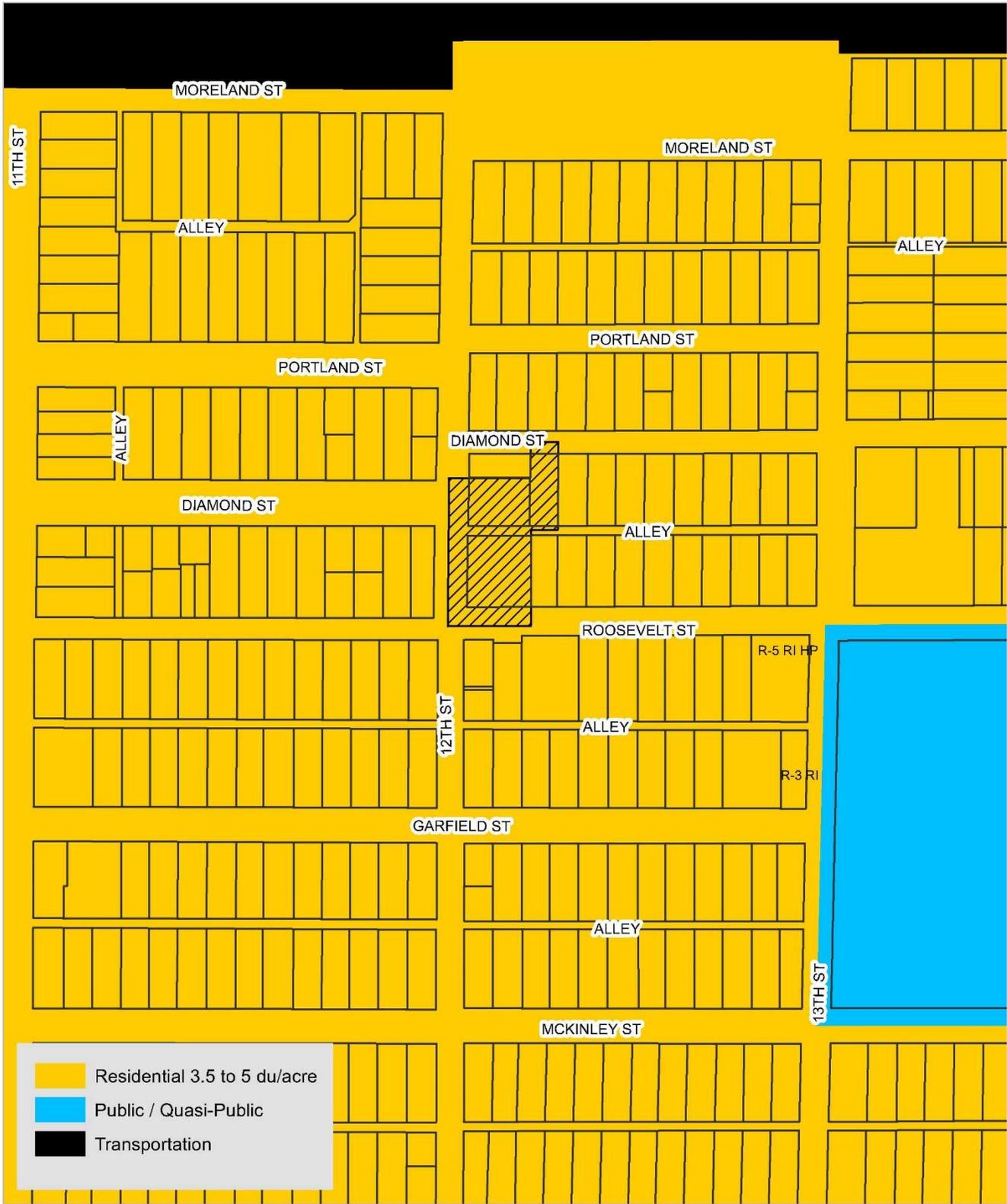


- NE Parcel – 1209 E. Diamond
- North Parcel
- South Parcel – 1204 E. Roosevelt



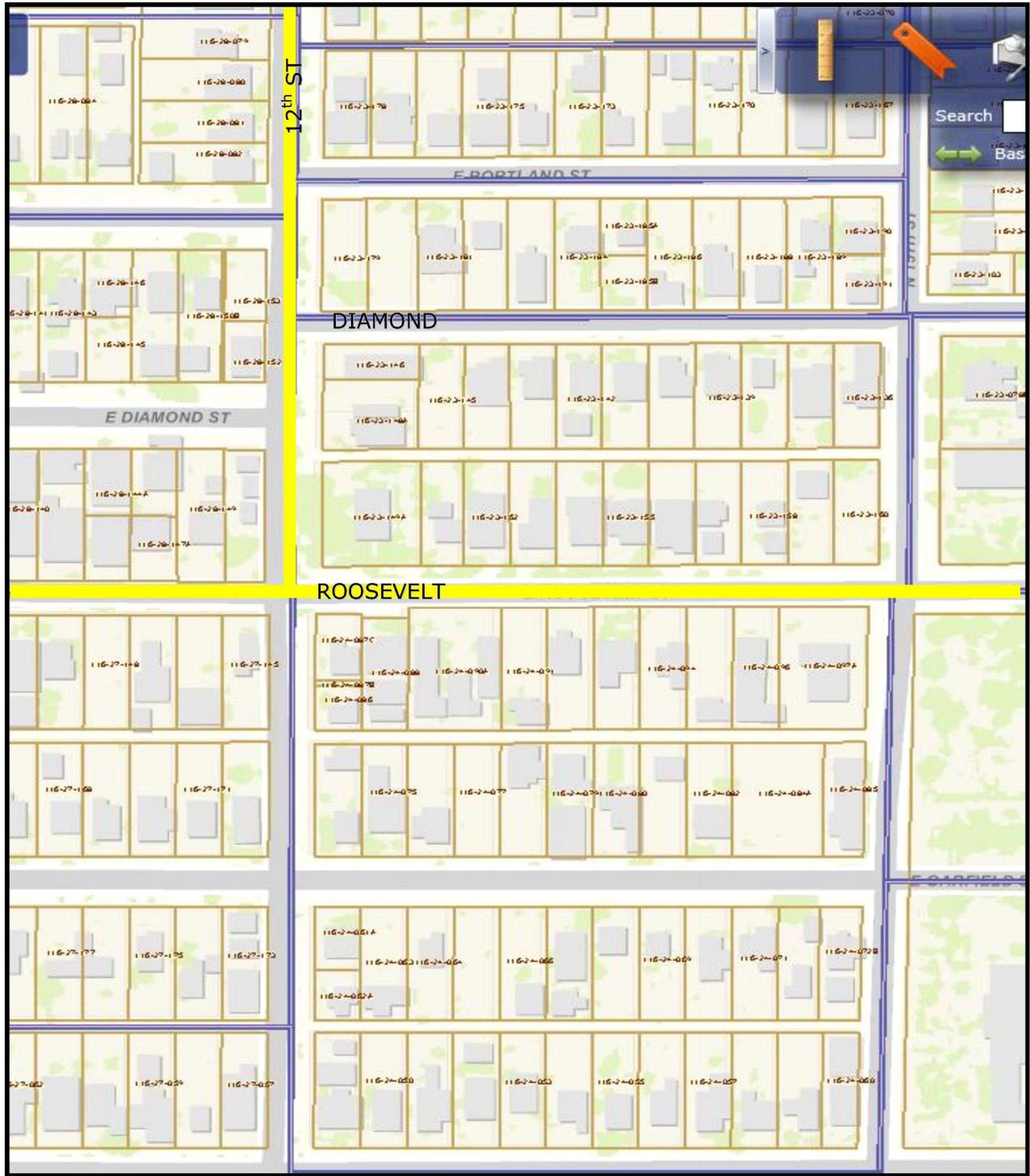
Alwun House– Aerial Detail



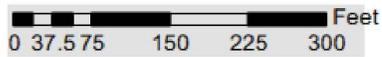


Local General Plan

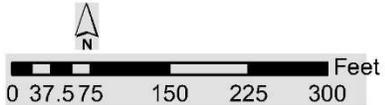
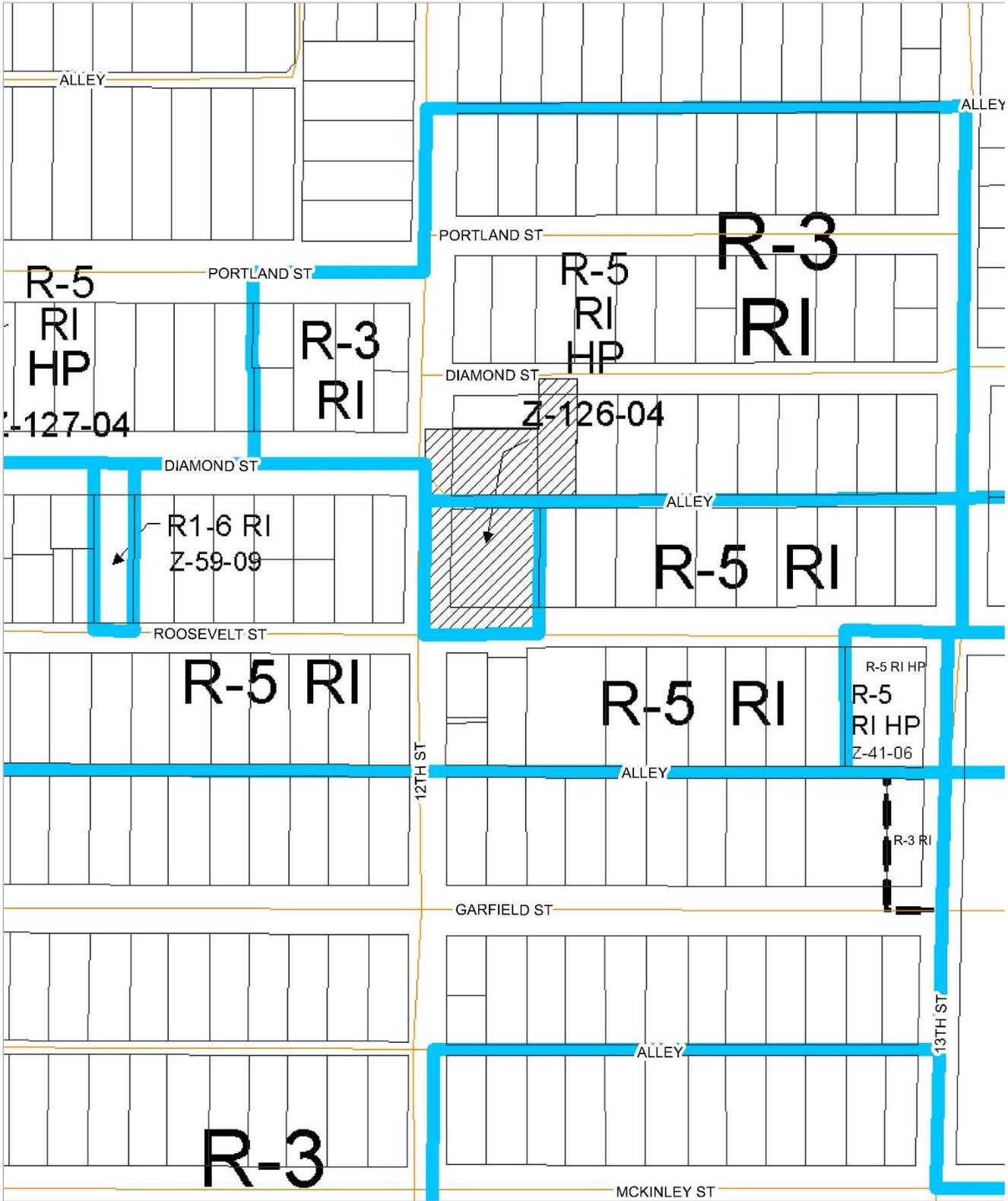




Alwun House– Street Classification

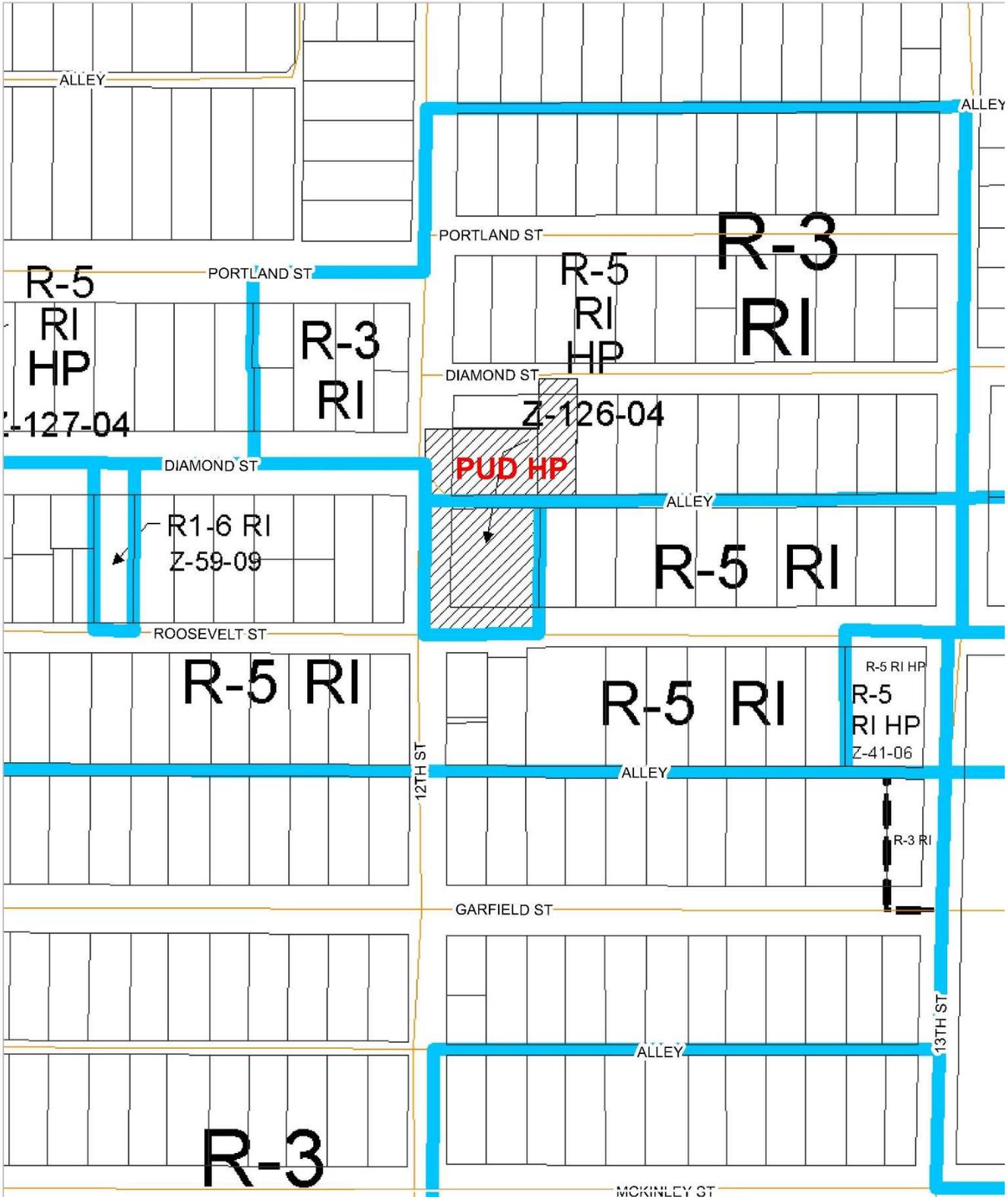


Collector



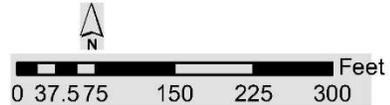
Alwun House - Existing Zoning





Alwun House - Proposed Zoning

PUD HP





City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

May 4, 2012

Alwun House Foundation
1204 East Roosevelt Street
Phoenix, AZ 85006

Dear Applicant:

RE: Z-27-11-7 – Northeast corner of 12th Street and Roosevelt Street

Please be advised that the Phoenix City Council, in accordance with the provisions of Section 506 of the Zoning Ordinance, as amended, has on May 2, 2012 approved Zoning Ordinance # G-5701.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Larry Tom", with a long horizontal line extending to the right.

Larry Tom
Principal Planner

Attachment: Signed Ordinance

- c: Gammage & Burnham PLLC, 2 N. Central Avenue, 18th Floor, Phoenix, AZ 85004
File
Racelle Escobar, PDD-Planning-PC Planner (Electronically)
Lilia Olivarez, PDD-Planning-PC Secretary (Electronically)
Katherine Coles, PDD-Planning-Village Planner (Electronically)
David Miller, PDD-GIS (Electronically)
Sandra Hoffman, PDD-Development (Electronically)
Penny Parrella, City Council (Electronically)

ORDINANCE G-5701

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-27-11-8) FROM R-5 HP RI ACOD (MULTIPLE-FAMILY RESIDENCE, HISTORIC PRESERVATION OVERLAY, RESIDENTIAL INFILL, ARTS CULTURE AND SMALL BUSINESS OVERLAY) AND R-3 RI (MULTIPLE-FAMILY RESIDENCE, RESIDENTIAL INFILL) TO PUD HP (PLANNED UNIT DEVELOPMENT HISTORIC PRESERVATION OVERLAY) AND PUD (PLANNED UNIT DEVELOPMENT).

WHEREAS, on October 28, 2011, 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 Stephen Anderson of Gammage & Burnham, PLLC, having authorization to represent the owner, Alwun House Foundation of an approximately 1.01 acre property located at the northeast corner of 12th Street and Roosevelt Street in a portion of Section 4, Township 1 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 April 11, 2012, 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 2, 2012, 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 1.01 acre property located Northeast corner of 12th Street and Roosevelt Street in a portion of Section 4, Township 1 North, Range 3 East, as described more specifically in Attachment "A", is hereby changed from 0.54 acres of "R-5 HP RI ACOD" (Multiple-Family Residence, Historic Preservation Overlay, Residential Infill, Arts Culture And Small Business Overlay) and 0.47 acres of "R-3 RI" (Multiple-Family Residence, Residential Infill) to 0.54 acres of "PUD HP" (Planned Unit Development Historic Preservation Overlay) and 0.47 acres of "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".

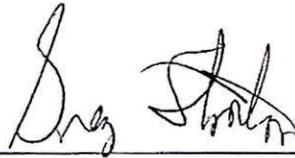
SECTION 2. The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-27-11-8, on file with the Planning and Development Department. Due to the site's specific physical conditions and the use district applied for by the applicant, this rezoning 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 Alwun House PUD that reflects 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 February 29, 2012, as modified by the following stipulations.
2. The developer shall construct all streets adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidentals as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
3. The below language shall be added as a preamble statement on a blank page prior to the Table of Contents within the Development Narrative. This additional language and any modifications to the narrative made through the public hearing process shall be completed and a final written PUD Development Narrative and electronic PUD Development Narrative shall be submitted within 30 days of final City Council approval.
 - a. A Planned Unit Development (PUD) is intended to be a stand-alone document of zoning regulations for a particular project. Provisions not specifically regulated by the PUD are governed by the zoning ordinance. A PUD may include substantial background information to help illustrate the intent of the development. The purpose and intent statements are not requirements that will be enforced by the City. The PUD only modifies zoning ordinance regulations and does not modify other City Codes or requirements. Additional public hearings may be necessary such as but not limited to right-of-way abandonments.

4. That prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims in a form approved by the City Attorney's Office. 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.

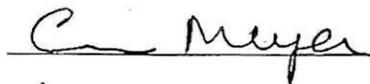
SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 2nd day of May, 2012.



MAYOR

ATTEST:

 City Clerk

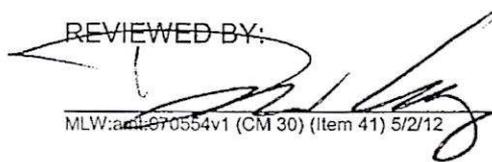


APPROVED AS TO FORM:

 Acting City Attorney

MLW

REVIEWED BY:

 City Manager

MLW:act:070554v1 (CM 30) (Item 41) 5/2/12

Attachments:

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

ATTACHMENT A

LEGAL DESCRIPTION FOR Z-27-11-8

Parcel 1 (The House): *R-5 RI HP ACOD to PUD HP*

Lots 13 and 14, and west 4 feet of lot 15, SEDLER'S ADDITION, according to Book 7 of Maps, page 27, records of Maricopa County, Arizona

Parcel 2 (North Parcel): *R-5 RI HP to PUD HP*

The south 84 feet of Lots 11 and 12 in SEDLER'S ADDITION, according to the plat of record in the Office of the County Recorder of Maricopa County, Arizona, recorded in Book 7 of Maps, Page 27.

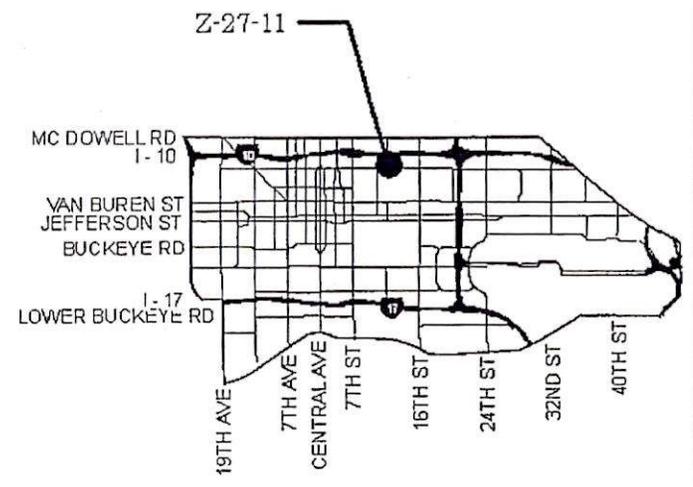
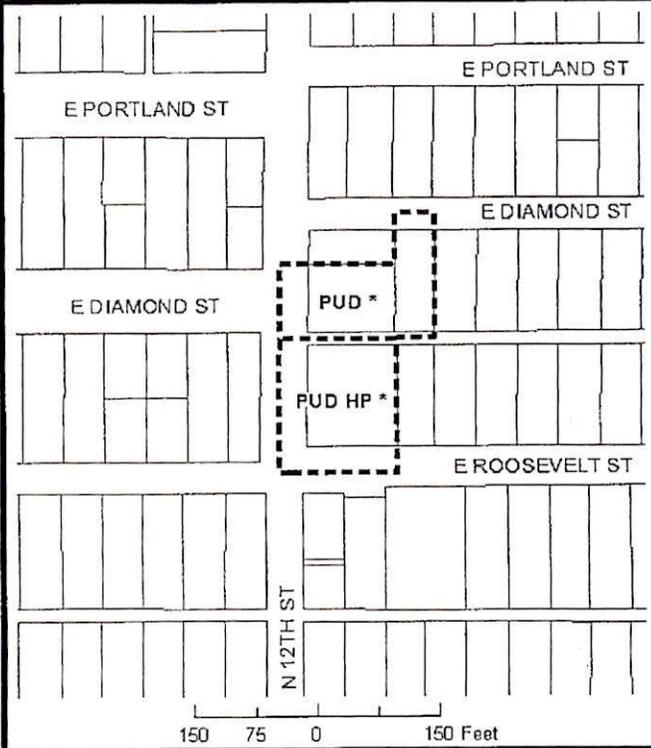
Parcel 3(NE Parcel): *R-5 RI HP to PUD HP*

Lot 10, SEDLER'S ADDITION, according to the plat of record in the Office of the County Recorder of Maricopa County, Arizona, recorded in Book 7 of Maps, Page 27.

ORDINANCE LOCATION MAP

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

Zoning Case Number: Z-27-11-8
Zoning Overlay: Arts and Culture
Planning Village: Central City



NOT TO SCALE



Drawn Date: 4/11/12

Map Document: NAPDF_Maps\Ordinance_Map\2012



APPENDIX B

Phoenix City Council Meeting Hearing Minutes

(to follow)



City of Phoenix

Results

Meeting Location:
City Council Chambers
200 W. Jefferson St.
Phoenix, Arizona 85003

City Council Formal Meeting

Wednesday, December 2, 2020

2:30 PM

phoenix.gov

*****Once finalized, the approved minutes will supersede this document, and serve as the permanent record of this meeting and results.*****

CALL TO ORDER AND ROLL CALL

BOARDS AND COMMISSIONS

- 1 Mayor and Council Appointments to Boards and Commissions
This item was approved.

LIQUOR LICENSES, BINGO, AND OFF-TRACK BETTING LICENSE APPLICATIONS

- 2 Liquor License - Fast Market #4594
This item was recommended for approval.
- 3 Liquor License - West Coast Petroleum LLC
This item was recommended for approval.
- 4 Liquor License - Fast Market #4593
This item was recommended for approval.
- 5 Liquor License - Fast Market #4592
This item was recommended for approval.
- 6 Liquor License - Brightside Studios
This item was recommended for approval.
- 7 Liquor License - Fast Market #4595
This item was recommended for approval.
- 8 Off-Track Pari-Mutuel Wagering Permit - JJ's Grubb Shack
This item was recommended for approval.
- 9 Off-Track Pari-Mutuel Wagering Permit - Longshots Bar & Grill

This item was withdrawn.

PAYMENT ORDINANCE (Ordinance S-47130) (Items 10-18)

10 Superior Cleaning Equipment, Inc.

This item was adopted.

11 Alliance for Innovation, Inc.

This item was adopted.

12 United States Conference of Mayors

This item was adopted.

13 National League of Cities

This item was adopted.

14 Payment of Judgment for Englehorn v. City of Phoenix

This item was adopted.

15 Settlement of Claim(s) Garcia v. City of Phoenix

This item was adopted.

16 Settlement of Claim(s) Whitaker v. City of Phoenix

This item was adopted.

17 City of Glendale

This item was adopted.

18 City of Goodyear - Annual Water Utility Payment

This item was adopted.

ADMINISTRATION

19 (CONTINUED FROM NOV. 18, 2020) - Canvass of Vote - November 2020
Mayor and Council Election

This item was approved.

20 Acceptance and Dedication of Easements for Sidewalk and Public Utility
Purposes (Ordinance S-47138)

This item was adopted.

- 21** Acceptance of an Easement for Drainage Purposes (Ordinance S-47141)
This item was adopted.
- 22** Authorization to Grant an Easement on City-owned Property Across the Salt River, East of the S. 7th Street Bridge (Ordinance S-47142)
This item was adopted.
- 23** Enterprise Storage Equipment and Services - Requirements Contract - IFB 21-026 (Ordinance S-47154)
This item was adopted.
- 24** Various Amendments to Pay Ordinance S-45840 (Ordinance S-47152)
This item was adopted.
- *25** ***ITEM REVISED (SEE ATTACHED MEMO)*** Amend Personnel Rules (Ordinance S-47151)
This item was adopted as revised.
- 26** Agreement with Databank IMX, LLC for OnBase System Upgrade and Maintenance Services - Amendment (Ordinance S-47143)
This item was adopted.
- 27** Additional Expenditures for Custodial Services IFB 17-045B - Requirements Contract (Ordinance S-47156)
This item was adopted.
- 28** Contract Extension with 2020 COVID-19 Recovery Consultants, LLC for Public Health Advisory Services (Ordinance S-47155)
This item was adopted as amended.
- *29** ***ITEM REVISED (SEE ATTACHED MEMO)*** Review of Field Allocations and Tournaments
This item was approved with direction to cancel all field allocations and reservations effective Dec. 3, 2020 including ramadas and areas of high volume, until benchmarks are back to Sept 6, 2020 levels. Playgrounds and restrooms will remain open.

COMMUNITY SERVICES

- 30** Housing Phoenix Plan City-Owned Land Reservation with Associated Phasing Plan

This item was adopted.

- 31** U.S. Department of Housing and Urban Development Project-Based Vouchers for Deck Park Vista and Choice Neighborhoods Update (Ordinance S-47147)

This item was adopted.

- 32** Gated Alley Program Pilot - Expand Grant Funding Eligibility

This item was adopted.

TRANSPORTATION AND INFRASTRUCTURE

- *33** ***ADDITIONAL INFORMATION (SEE ATTACHED MEMO)*** (CONTINUED FROM NOV. 18, 2020) - Light Rail Small Business Financial Assistance Program Pilot (Ordinance S-47126)

This item was adopted with additional information.

- 34** Materials Recovery Facility Operations and Materials Marketing (North Gateway and 27th Avenue Transfer Stations) Requirements Contract Amendment (Ordinance S-47157)

This item was adopted.

- 35** Downtown Shared Electric Scooter Pilot Program - Amend Ordinance G-6602 to Extend the Sunset Provision (Ordinance G-6772)

This item was adopted.

- 36** 2020 Congestion Mitigation and Air Quality Alley Dustproofing - Design-Bid-Build Services - ST87400272 (Ordinance S-47132)

This item was adopted.

- 37** Street Transportation Department Soils and Materials Testing On-Call Services for Calendar Years 2021-22 (Ordinance S-47133)

This item was adopted.

- 38** Booster Pump Station Improvements - Construction Manager at Risk Preconstruction Services - WS85100032, WS85500451 & WS85400007 (Ordinance S-47135)

This item was adopted.

- 39** Cave Creek and Lone Mountain Waterline Connection - Construction Manager at Risk Preconstruction Services - WS85100032, WS85500451 & WS85400007 (Ordinance S-47136)

This item was adopted.

- 40** Phoenix Sky Harbor International Airport Terminal 4 South 1 Concourse Concrete Apron Construction Administration and Inspection - Engineering Services - AV08000083 FAA (Ordinance S-47137)

This item was adopted.

- 41** Amendment to Pavement Management Software Contract (Ordinance S-47140)

This item was adopted.

- 42** Intergovernmental Agreement with the Arizona Department of Transportation for Safety Improvements at the 27th Avenue and Thomas Road at the BNSF Railroad Crossings - Amendment 1 (Ordinance S-47144)

This item was adopted.

- 43** Salt River Project Design and Construction Agreement for Aquifer Storage and Recovery Well 304 (Ordinance S-47145)

This item was adopted.

- 44** 91st Avenue Wastewater Treatment Plant Solids Rehabilitation Phase 1 - Construction Manager at Risk Construction Services - WS90100111 (Ordinance S-47146)

This item was adopted.

- 45** Baseline Road Fiber Enhancement - Engineering Services - ST89360036 (Ordinance S-47153)

This item was adopted.

- 46** Additional Expenditures for Illuminated Street Sign Fabrication and Installation Services - IFB 19-025A (Ordinance S-47134)

This item was adopted.

- 47** Purchase Supply of Silica Dioxide - Amendment 3 (Ordinance S-47139)

This item was adopted.

PLANNING AND ZONING MATTERS

- 48** Final Plat - Desert Dawn Estates - PLAT 190085 - 27010 N. 33rd Avenue

This item was adopted.

- 49** Final Plat - Woodspring Suites Hotel - PLAT 200555 - Northeast Corner of 23rd Avenue and Alameda Road
This item was adopted.
- 50** Final Plat - The Collective Storage Center - PLAT 190119 - Northeast Corner of 16th Street and Palm Lane
This item was adopted.
- 51** Final Plat - The Clayton - PLAT 200512 - East of 12th Street and North of Highland Avenue
This item was adopted.
- 52** Final Plat - 6522 N. 14th Street - PLAT 200568 - 6552 N. 14th Street
This item was adopted.
- 53** Final Plat - EOS Encanto Plat - PLAT 190088 - 7400 W. Encanto Boulevard
This item was adopted.
- 54** Final Plat - Dobbins Village Amended - PLAT 200560 - 43rd Avenue and Dobbins Road
This item was adopted.
- 55** Abandonment of Easement - ABND 200528 - 1208 E. Highland Avenue (Resolution 21883)
This item was adopted.
- 56** Abandonment of Right-of-Way - V190018A - South of Elm and East of 12th Streets (Resolution 21882)
This item was adopted.
- 57** Amend City Code - Ordinance Adoption - Rezoning Application Z-6-20-2 (Optima 15615 PUD) - Approximately 750 Feet North of the Northeast Corner of 71st Street and Kierland Boulevard (Ordinance G-6774)
This item was adopted.
- 58** Amend City Code - Ordinance Adoption - Rezoning Application Z-14-20-2 (Kierland Sky PUD) - Southeast Corner of Kierland Boulevard and Marilyn Road (Ordinance G-6775)
This item was adopted.
- 59** Amend City Code - Ordinance Adoption - Rezoning Application Z-42-20-2 -

Northeast and Southeast Corners of Black Canyon Highway and the Dynamite Boulevard Alignment (Ordinance G-6776)

This item was adopted.

- 60** Amend City Code - Ordinance Adoption - Rezoning Application Z-8-19-8 (MCP Holdings/ELS PUD) - Approximately 550 Feet East of the Southeast Corner of 32nd Street and Southern Avenue (Ordinance G-6773)

This item was adopted.

- 61** Amend City Code - Ordinance Adoption - Rezoning Application Z-27-A-11-8 (Alwun House PUD) - Northeast Corner of 12th Street and Roosevelt Street (Ordinance G-6771)

This item was adopted.

- 62** Public Hearing and Resolution Adoption - General Plan Amendment GPA-EST-1-20-7 - Southeast Corner of 107th Avenue and Southern Avenue (Resolution 21884)

The hearing was held. This item was approved per the Planning Commission recommendation with adoption of the related resolution.

- *63** ***ITEM REVISED (SEE ATTACHED MEMO)*** Public Hearing and Ordinance Adoption - Rezoning Application Z-1-20-7 - Southeast Corner of 107th Avenue and Southern Avenue (Ordinance G-6777)

The hearing was held. This item was approved per the Nov. 24, 2020 memo from the Planning and Development Director with adoption of the related ordinance.

- 64** (CONTINUED FROM JUNE 3, JUNE 24 AND SEPT. 2, 2020) - Public Hearing - Amend City Code and Ordinance Adoption - Off-Premise Signs for Schools Text Amendment - Z-TA-1-19 (Ordinance G-6703)

The hearing was held. This item was approved per the Land Use and Livability Subcommittee recommendation with adoption of the related ordinance.

ADD-ON ITEMS

- *65** ***REQUEST TO ADD-ON (SEE ATTACHED MEMO)*** Additional COVID-19 Testing (Ordinance S-47158)

This item was adopted.

ADD-ON ITEMS

REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

000 CITIZEN COMMENTS

ADJOURN



APPENDIX C

Approval Letter & Recorded Ordinance

(to follow)



City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

December 16, 2020

Michael T. Maerowitz
Gammage & Burnham PLC
40 North Central Avenue, 20th Floor
Phoenix, AZ 85004

Dear Applicant:

RE: Z-27-A-11-8 – Northeast corner of 12th Street and Roosevelt 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 December 2, 2020 approved Zoning Ordinance # G-6771.

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: Alwun House Foundation, 1204 E. Roosevelt St., Phoenix, AZ 85006
File
Tricia Gomes, PDD–Planning–Special Projects Administrator (Electronically)
Racelle Escolar, PDD–Planning–Planner III (Electronically)
Sarah Stockham, PDD–Planning–Village Planner (Electronically)
Ben Kim, PDD–GIS (Electronically)
Craig Mavis, PDD–Development (Electronically)
Matthew Heil, City Council (Electronically)

ORDINANCE G-6771

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-27-A-11-8) FROM PUD (PLANNED UNIT DEVELOPMENT) AND PUD HP ACOD (PLANNED UNIT DEVELOPMENT, HISTORIC PRESERVATION OVERLAY, ARTS, CULTURE AND SMALL BUSINESS OVERLAY) TO PUD (PLANNED UNIT DEVELOPMENT) AND PUD HP ACOD (PLANNED UNIT DEVELOPMENT, HISTORIC PRESERVATION OVERLAY, ARTS, CULTURE AND SMALL BUSINESS OVERLAY).

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

follows:

SECTION 1. The zoning of a 1.01 acre site located at the northeast corner of 12th Street and Roosevelt Street in a portion of Section 4, Township 1 North, Range 3 East, as described more specifically in Exhibit "A," is hereby changed from 0.47 acres of "PUD" (Planned Unit Development) and 0.54 acres of "PUD HP ACOD" (Planned Unit Development, Historic Preservation Overlay, Arts, Culture and Small Business Overlay) to 0.47 acres of "PUD" (Planned Unit Development) and 0.54 acres of "PUD HP ACOD" (Planned Unit Development, Historic Preservation Overlay, Arts, Culture and Small Business Overlay).

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 Alwun House 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 28, 2020, as modified by the following stipulations:
 - a. Front cover: Revise the date information on the bottom to add the following: Major Amendment First Submittal: July 15, 2020; Major Amendment Second Submittal: September 8, 2020; Major Amendment City Council adopted: [Add adoption date].
2. The developer shall provide a No Hazard Determination for the proposed development from the FAA pursuant to the FAA's Form-7460 obstruction analysis review process, prior to construction permit approval, as per plans approved by the Planning and Development Department.
3. 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.
4. The developer shall grant and record an aviation 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.
5. 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.

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.

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 December 2020.

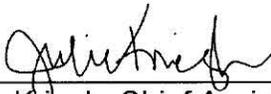

MAYOR

ATTEST:


Denise Archibald, City Clerk
12.08.2020



APPROVED AS TO FORM:
Cris Meyer, City Attorney

By: 
Julie Knegh, Chief Assistant City Attorney 

REVIEWED BY:


Ed Zuercher, City Manager

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

PL:tml:LF20-2866:12-2-2020:2222800v1

EXHIBIT A

LEGAL DESCRIPTION FOR Z-27-A-11-8

Within a portion of Section 4, Township 1 North, Range 3 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

Northern Parcel (APN 116-23-148B)

Lot 10 TOGETHER WITH the South 84 feet of Lots 11 and 12 in SEDLER'S ADDITION, according to the plat of record in the Office of the County Recorder of Maricopa County, Arizona, recorded in Book 7 of Maps, Page 27.

Southern Parcel (APN 116-23-149A)

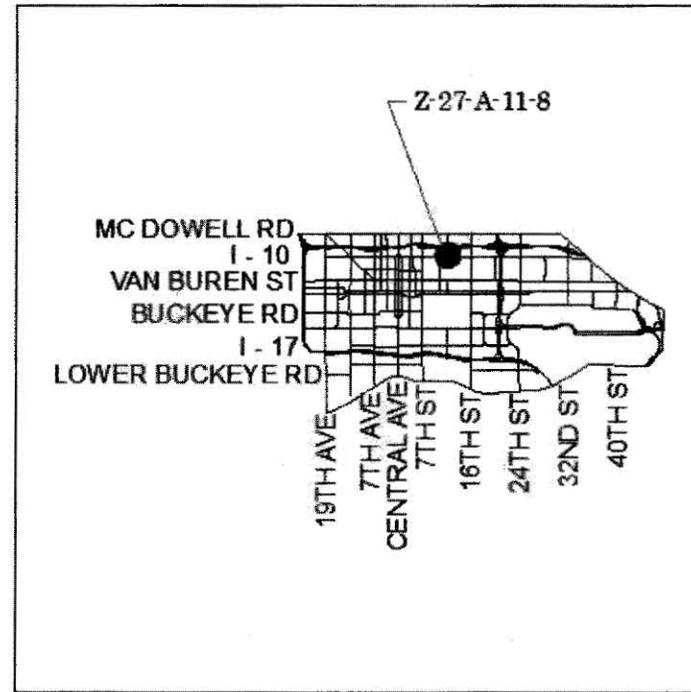
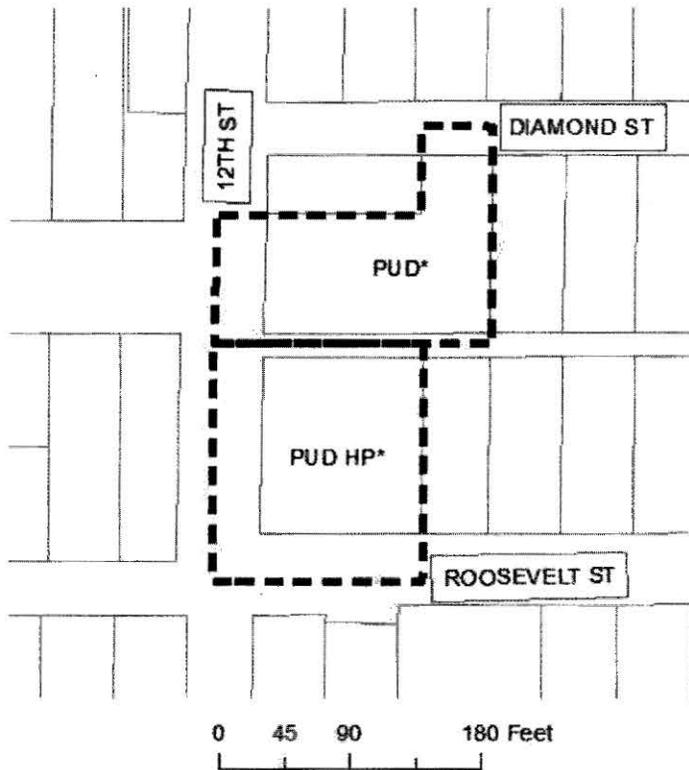
The following real property situation in MARICOPA County, Arizona: Lots 13 and 14, SEDLER'S ADDITION, according to Book 7 of Maps, page 27, records of MARICOPA County, Arizona.

ORDINANCE LOCATION MAP

EXHIBIT B

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

Zoning Case Number: Z-27-A-11-8
Zoning Overlay: Arts Culture and Small Business
Planning Village: Central City



NOT TO SCALE



Drawn Date: 10/30/2020

\\one\pdf\Share of Department Share Information Systems\PL GIS\VS_Team\Core_Functions\Zoning\SuppMaps_OrdMaps2020_Ord\12-3-20\Z-27-A-11-8.mxd