



City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

April 30, 2020

Larry Lazarus
Lazarus & Silvyn, P.C.
206 East Virginia Avenue
Phoenix, Arizona 85004

Dear Applicant:

RE: Z-63-18-8 – Southwest corner of 13th Street and McDowell Road

Please be advised that the Phoenix City Council, in accordance with the provisions of Section 601 of the Zoning Ordinance, as amended, has on April 1, 2020, approved Zoning Ordinance # G-6687.

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

Sincerely,

A handwritten signature in blue ink that reads "Joshua Bednarek".

Joshua Bednarek
Planning and Development Deputy Director

Attachment: Signed Ordinance

c: Banner Health, 2901 N. Central Ave., Phoenix, AZ 85012
File
Tricia Gomes, PDD-Planning-Special Projects Administrator (Electronically)
Racelle Escolar, PDD-Planning-Planner III (Electronically)
Adam Stranieri, PDD-Planning-Planner III (Electronically)
Sara Stockham, PDD-Planning-Village Planner (Electronically)
Benjamin Kim, PDD-GIS (Electronically)
Craig Mavis, PDD-Development (Electronically)
Penny Parrella, City Council (Electronically)

ORDINANCE G-6687

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-63-18-8) FROM C-2 (INTERMEDIATE COMMERCIAL DISTRICT), C-2 H-R (INTERMEDIATE COMMERCIAL DISTRICT, HIGH-RISE AND HIGH DENSITY DISTRICT), C-2 HGT/WVR (INTERMEDIATE COMMERCIAL DISTRICT, HEIGHT WAIVER), C-2 H-R SP (INTERMEDIATE COMMERCIAL DISTRICT, HIGH-RISE AND HIGH DENSITY DISTRICT, SPECIAL PERMIT DISTRICT), C-2 SP (INTERMEDIATE COMMERCIAL DISTRICT, SPECIAL PERMIT DISTRICT), AND C-2 (APPROVED C-2 H-R) (INTERMEDIATE COMMERCIAL DISTRICT, APPROVED INTERMEDIATE COMMERCIAL DISTRICT, HIGH-RISE AND HIGH DENSITY 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 72.70 acre property located at the southwest corner of 13th Street and McDowell Road in a portion of Section 4, Township 1 North, Range 3 East, as described more specifically in Exhibit "A," is hereby changed from 39.04 acres of "C-2" (Intermediate Commercial District), 22.04 acres of "C-2 H-R" (Intermediate Commercial District, High-Rise District), 5.80 acres of "C-2 HGT/WVR" (Intermediate Commercial District, Height Waiver), 2.00 acres of "C-2 H-R SP"

(Intermediate Commercial District, High-Rise District, Special Permit District), 0.46-acres of “C-2 SP” (Intermediate Commercial District, Special Permit District), and 3.36 acres of “C-2 (Approved C-2 H-R)” (Intermediate Commercial District, Approved Intermediate Commercial District, High-Rise District) to “PUD” (Planned Unit Development District).

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 Banner Health PUD reflecting the changes approved through this request shall be submitted to the Planning & 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 February 5, 2020 as modified by the following stipulations.
2. Historic American Building Survey (HABS) documentation of the Goldberg Tower shall be completed prior to submittal of an application for demolition of the Goldberg Tower with review and comment by the Planning and Development Department.
3. No demolition permit for the Goldberg Tower shall be issued until after building permit approval for new construction at the site of the Goldberg Tower or upon building permit approval of Tower II as identified in the City Council adopted version of the Banner Health PUD Narrative, whichever occurs first.
4. An interpretation shall be completed documenting the history of the Good Samaritan Hospital and the importance of the Goldberg Tower as approved by the Planning and Development Department with input from the Historic Preservation Committee. The interpretation shall be completed designed and approved prior to the demolition permit approval for the Goldberg Tower and

installed within one year after the demolition of the Goldberg Tower is completed.

5. That a qualified historian shall document the history of Good Samaritan Hospital (Banner University Medical Center Campus) within one year of approval of the PUD as approved by the Historic Preservation Office and shall include the following analyses as part of the documentation:
 - a. A history of the development and significance of the former Good Samaritan Hospital and present-day Banner University Medical Center Campus and its effect on the healthcare of the community over the past 100-plus years;
 - b. An analysis of how modern medicine and the evolution of patient care has impacted the development of the Campus and the community over time; and
 - c. A history of development of the residential neighborhoods and commercial uses surrounding said Campus and how the Campus was integrated into and impacted these surrounding developments.
6. Right-of-way and all bus stop pads shall be retained in their existing condition at the following locations: eastbound McDowell Road east of 10th Street; eastbound McDowell Road east of 12th Street; and northbound 12th Street north of Willetta Street. Bus stop pads shall be compliant with City of Phoenix Standard Detail P1260 with a minimum depth of 10 feet and spaced from the intersections indicated above in accordance with City of Phoenix Standard Detail P1258. Reconstruction of the bus pad shall be required if existing pads are not in compliance with the specified standard details, as approved by the Planning and Development Department.
7. The bus bay located approximately 650 feet east of 7th Street along eastbound McDowell Road shall be removed and replaced with a new bus stop pad constructed in accordance with the City of Phoenix Standard Detail P1260 with a minimum depth of 10 feet, as approved by the Planning and Development Department.
8. A sidewalk easement shall be dedicated along the south side of McDowell Road. The total right-of-way and sidewalk easement shall be a minimum of 50 feet in width, as approved by the Planning and Development Department.
9. 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.

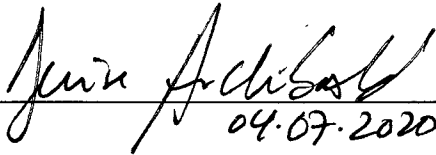
10. The applicant shall submit a Traffic Impact Study to the Street Transportation Department and the Planning and Development Department prior to preliminary site plan review. The applicant shall be responsible for any dedications and required improvements as recommended by the approved traffic study, as approved by Planning and Development Department and the Street Transportation Department.
11. The developer shall build a minimum 10-foot wide bicycle transition ramp from the Interstate 10 pedestrian bridge, to the two-way cycle track on 10th Street, as approved by the Street Transportation Department.
12. The developer shall construct / build a two-way cycle track on 10th Street from Willetta Street to the Interstate 10 pedestrian bridge, as approved by the Street Transportation Department.
13. The development shall enhance the bicycle markings on 10th Street from McDowell Road to Willetta Street to improve the safety for bicyclists. The enhancements shall include green colored pavement, as approved by the Street Transportation Department.
14. The developer shall enhance the intersection of Brill Street and 10th Street to include colored pavement so that all road users will be given guidance as to how and where they should enter and leave the intersection as approved by the Street Transportation Department.
15. The developer shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence and operational characteristics of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property.
16. 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 1st day of April, 2020.




MAYOR

ATTEST:

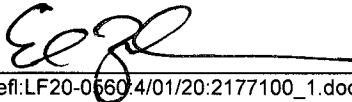

City Clerk
04.07.2020



APPROVED AS TO FORM:


Acting City Attorney 

REVIEWED BY:


City Manager

PL:ef:LF20-0660-4/01/20:2177100_1.docx

Exhibits:

- A – Legal Description (3 Pages)
- B – Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR Z-63-18-8

LEGAL DESCRIPTION FOR APN 116-30-156

A PARCEL OF LAND SITUATED IN A PORTION OF THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 1 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING ALL OF LOT 1 OF BANNER UNIVERSITY MEDICAL CENTER AS RECORDED IN BOOK 1271 OF MAPS ON PAGE 15, OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA, AND CONTAINING A COMPUTED AREA OF 2,107,046 SQUARE FEET OR 48.371 ACRES OF LAND, MORE OF LESS.

LEGAL DESCRIPTION FOR APN 116-29-085C

A PARCEL OF LAND SITUATED IN A PORTION OF THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 1 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING ALL OF LOT 2 OF SAMARITAN CAMPUS AS RECORDED IN BOOK 472 OF MAPS ON PAGE 50, OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA, AND CONTAINING A COMPUTED AREA OF 664,870 SQUARE FEET OR 15.263 ACRES OF LAND, MORE OF LESS.

LEGAL DESCRIPTION FOR APN 116-30-150

A PARCEL OF LAND SITUATED IN A PORTION OF THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 1 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING ALL OF LOT 1 OF Y.W.C.A. AS RECORDED IN BOOK 295 OF MAPS ON PAGE 24, OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA, AND CONTAINING A COMPUTED AREA OF 86,581 SQUARE FEET OR 1.988 ACRES OF LAND, MORE OF LESS.

LEGAL DESCRIPTION FOR RIGHT OF WAY ABANDONMENT WILLETTA STREET
(first parcel)

A PARCEL OF LAND SITUATED IN A PORTION OF THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 1 NORTH, RANGE 3 EAST OF THE GILA AND SALT

RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 1 OF Y.M.C.A. RECORDED IN BOOK 295, PAGE 24, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE UPON AND WITH THE NORTH LINE OF SAID LOT 1, SAME BEING THE SOUTH RIGHT OF WAY LINE OF WILLETTA STREET, NORTH 89 DEGREES 46 MINUTES 29 SECONDS WEST, A DISTANCE OF 358.15 FEET TO THE NORTHWEST CORNER OF SAID LOT 1;

THENCE DEPARTING SAID LINE, NORTH 00 DEGREES 21 MINUTES 14 SECONDS EAST, A DISTANCE OF 66.03 FEET TO THE CENTERLINE OF SAID WILLETTA STREET;

THENCE SOUTH 68 DEGREES 18 MINUTES 25 SECONDS EAST, A DISTANCE OF 1.95 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 435.23 FEET;

THENCE CONTINUING ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 21 DEGREES 36 MINUTES 29 SECONDS, AN ARC LENGTH OF 164.14 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 89 DEGREES 46 MINUTES 29 SECONDS EAST, A DISTANCE OF 195.94 FEET;

THENCE SOUTH 00 DEGREES 21 MINUTES 24 SECONDS WEST, A DISTANCE OF 35.00 FEET TO THE POINT OF BEGINNING AND CONTAINING A COMPUTED AREA OF 14,182 SQUARE FEET OR 0.326 ACRES OF LAND, MORE OF LESS.

LEGAL DESCRIPTION FOR RIGHT OF WAY ABANDONMENT WILLETTA STREET (second parcel)

A PARCEL OF LAND SITUATED IN A PORTION OF THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 1 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF WILLETTA STREET AS SHOWN ON THE FINAL PLAT OF BANNER UNIVERSITY MEDICAL CENTER RECORDED IN BOOK 1271, PAGE 15, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE UPON AND WITH THE WEST LINE OF SAID BANNER UNIVERSITY MEDICAL CENTER, NORTH 00 DEGREES 19 MINUTES 08 SECONDS WEST, A DISTANCE OF 21.68 FEET TO THE NORTHWEST CORNER THEREOF;

THENCE DEPARTING SAID WEST LINE, UPON AND WITH THE NORTH RIGHT OF WAY LINE OF SAID WILLETTA STREET, SOUTH 89 DEGREES 46 MINUTES 29 SECONDS EAST, A DISTANCE OF 250.33 FEET TO THE NORTHEAST CORNER THEREOF;

THENCE SOUTH 00 DEGREES 21 MINUTES 24 SECONDS WEST, A DISTANCE OF 25.00 FEET TO THE SOUTHEAST CORNER THEREOF, SAME BEING THE NORTHEAST CORNER OF WILLETTA STREET OF Y.M.C.A. RECORDED IN BOOK 295, PAGE 24, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE NORTH 89 DEGREES 46 MINUTES 29 SECONDS WEST, A DISTANCE OF 195.94 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 435.23 FEET;

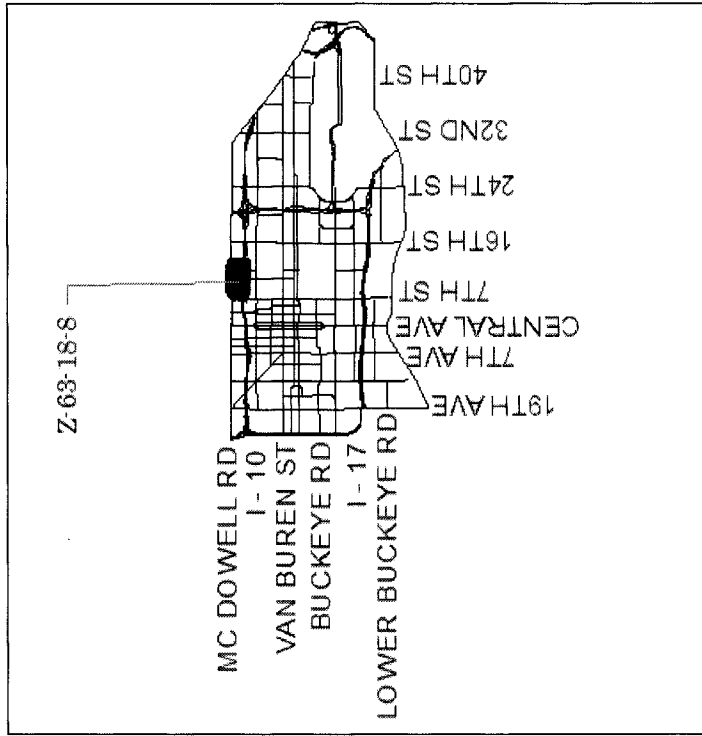
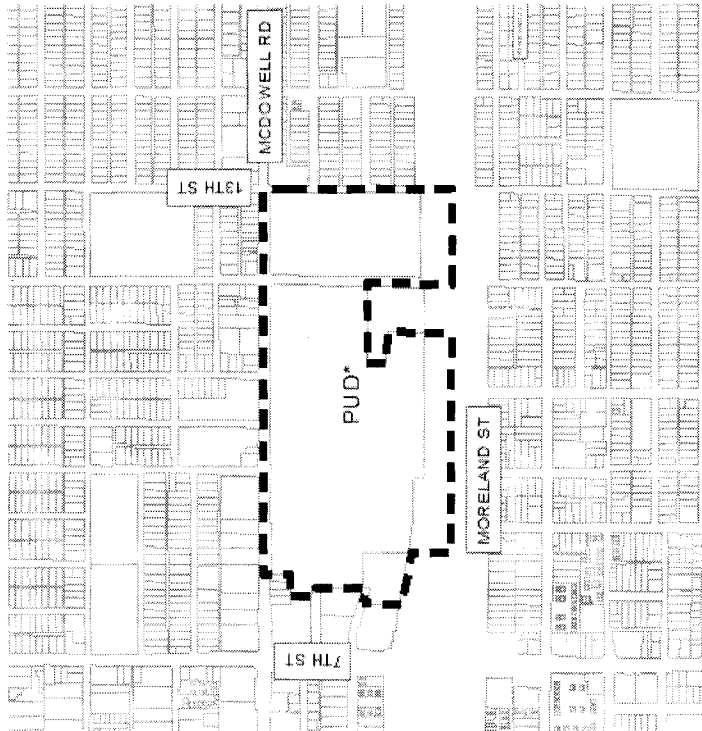
THENCE CONTINUING ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 07 DEGREES 10 MINUTES 27 SECONDS, AN ARC LENGTH OF 54.50 FEET TO THE POINT OF BEGINNING AND CONTAINING A COMPUTED AREA OF 6,199 SQUARE FEET OR 0.142 ACRES OF LAND, MORE OF LESS.

EXHIBIT B

ORDINANCE LOCATION MAP

Zoning Case Number: Z-63-18-8
Zoning Overlay: N/A
Planning Village: Central City

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



NOT TO SCALE



Drawn Date: 3/2/2020

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