

ORDINANCE G-6816

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-9-20-6) FROM C-O (COMMERCIAL OFFICE – RESTRICTED COMMERCIAL 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 3.45 acre site located at the southwest corner of 16th Street and Colter Street in a portion of Section 16, Township 2 North, Range 3 East, as described more specifically in Exhibit "A," is hereby changed from "C-O" (Commercial Office – Restricted Commercial 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."

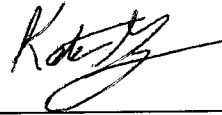
SECTION 3. Due to the site's specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1. An updated Development Narrative for the Willowick 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 December 21, 2020, as modified by the following stipulations:
 - a. Front cover: Revise the submittal date information on the bottom to add the following: Hearing draft: December 21, 2020; City Council adopted: [Add adoption date].
2. The developer shall retain the right-of-way and bus stop pad on southbound 16th Street south of Colter Street. The bus stop pad shall be compliant with City of Phoenix Standard Detail P1260 with a minimum depth of 10 feet. The bus stop pad shall be spaced from the intersection of 16th Street and Colter Street as per City of Phoenix Standard Detail P1258, as approved by the Planning and Development Department.
3. The developer shall utilize the existing driveway along 16th Street on Parcel No. APN 162-12-001X to access the site. The developer shall record a cross access easement between Parcel Nos. 162-12-001X and 162-12-009, to allow for ingress from the existing driveway south of the site. The agreement is to be reviewed and approved by the Planning and Development Department prior to recordation with Maricopa County.
4. The developer shall submit a Traffic Impact Study (TIS) to the City for this development. No preliminary approval of plans shall be granted until the study had been reviewed and approved by the City. Additional off-site improvements and right-of-way dedications may be required as identified in the approved traffic study. Development shall be responsible for the cost associated with these improvements and dedications.
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.

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.


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

PASSED by the Council of the City of Phoenix this 3rd day of March, 2021.



MAYOR

ATTEST:


Denise Archibald, City Clerk

03-11-2021

APPROVED AS TO FORM:
Cris Meyer, City Attorney

By: David Benton
David Benton, Chief Counsel

Pml

REVIEWED BY:

Ed Zuercher
Ed Zuercher, City Manager

Exhibits:

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

PL:tml:LF21-0310:3-3-2021:2238987v1

EXHIBIT A

LEGAL DESCRIPTION FOR Z-9-20-6

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN PHOENIX, IN THE COUNTY OF MARICOPA, STATE OF ARIZONA, AND IS DESCRIBED AS FOLLOWS:

THAT PORTION OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 2 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE WEST LINE OF THE 40 FOOT STRIP OF LAND CONVEYED TO THE CITY OF PHOENIX BY DEED RECORDED FEBRUARY 13, 1970 IN DOCKET 7998, PAGE 117 AND THE NORTH LINE OF THE SOUTH 210.00 FEET OF SAID NORTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 16;

THENCE ALONG SAID NORTH LINE SOUTH 89 DEGREES 58 MINUTES 27 SECONDS WEST 293.32 FEET;

THENCE PARALLEL WITH THE WEST LINE OF SAID NORTH HALF, NORTH 0 DEGREES 04 MINUTES 29 SECONDS WEST 240.49 FEET;

THENCE PARALLEL WITH THE NORTH LINE OF SAID NORTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 16, SOUTH 89 DEGREES 58 MINUTES 25 SECONDS WEST 22.00 FEET TO THE SOUTHEAST CORNER OF PARCEL 1, AS DESCRIBED IN THE DEED TO THE CITY OF PHOENIX, AS RECORDED IN DOCKET 8661, PAGE 117;

THENCE ALONG THE EASTERLY LINE OF PARCEL 1 AND ITS NORTHERLY PROLONGATION, NORTH 00 DEGREES 04 MINUTES 29 SECONDS WEST 180.00 FEET TO THE SOUTH LINE OF THE NORTH 30.00 FEET OF SAID NORTH HALF;

THENCE ALONG SAID SOUTH LINE, NORTH 89 DEGREES 58 MINUTES 25 SECONDS EAST 271.65 FEET TO THE WEST LINE OF THE EAST 83.00 FEET OF SAID NORTH HALF;

THENCE ALONG SAID WEST LINE, SOUTH 00 DEGREES 10 MINUTES 00 SECONDS EAST 10.00 FEET TO THE SOUTH LINE OF THE NORTH 40.00 FEET OF SAID NORTH HALF;

THENCE ALONG SAID SOUTH LINE, NORTH 89 DEGREES 58 MINUTES 25 SECONDS EAST 43.00 FEET TO THE WEST LINE OF SAID 40 FOOT STRIP OF LAND AS DESCRIBED IN DEED RECORDED IN SAID DOCKET 7998, PAGE 117;

THENCE ALONG SAID WEST LINE, SOUTH 00 DEGREES 10 MINUTES 00 SECONDS EAST 410.49 FEET TO THE POINT OF BEGINNING;

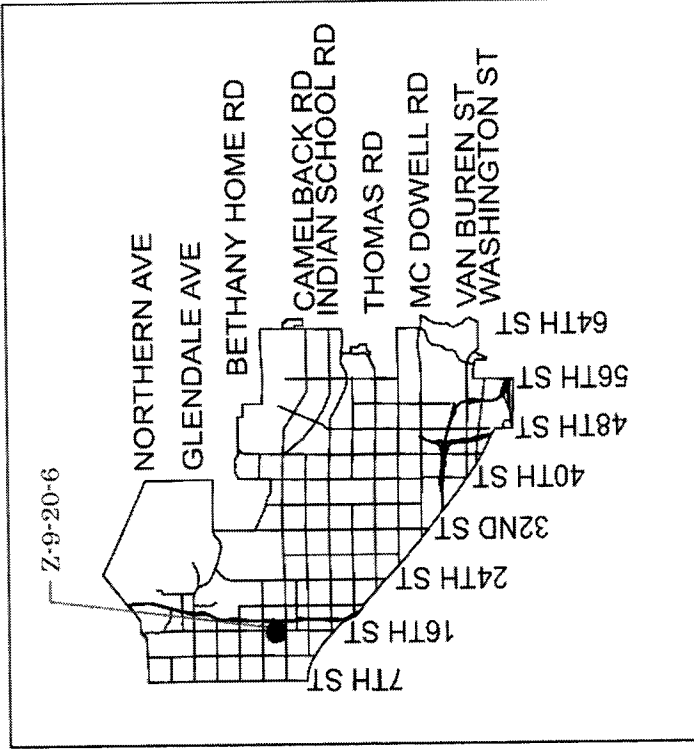
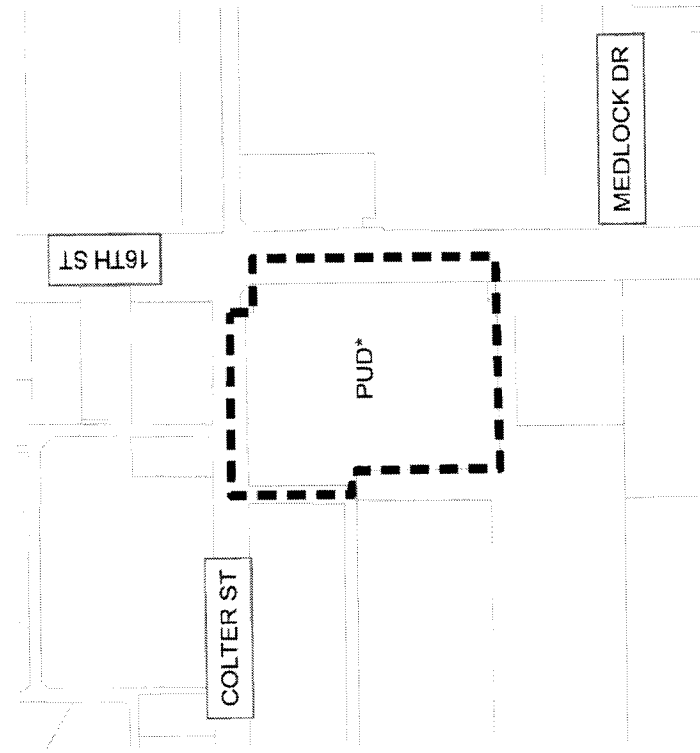
EXCEPT THAT PORTION CONVEYED TO LIV CAMELBACK AT 16TH, LLC IN RECORDING NO. 20160854027, RECORDS OF MARICOPA COUNTY, ARIZONA.

EXHIBIT B

ORDINANCE LOCATION MAP

Zoning Case Number: Z-9-20-6
Zoning Overlay: N/A
Planning Camelback East

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



Drawn Date: 2/4/2021

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