

Official Records of Maricopa County Recorder
STEPHEN RICHER
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ELECTRONIC RECORDING
7066G-6-1-1--

ORDINANCE G- 7066

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-44-22-1) FROM C-2 (INTERMEDIATE COMMERCIAL DISTRICT), C-2 HR (INTERMEDIATE COMMERCIAL, HIGH-RISE AND HIGH DENSITY DISTRICT), C-2 SP (INTERMEDIATE COMMERCIAL, SPECIAL PERMIT DISTRICT), C-2 HR SP (INTERMEDIATE COMMERCIAL, HIGH-RISE AND HIGH DENSITY DISTRICT, SPECIAL PERMIT), PCD (APPROVED C-2 PCD) (PLANNED COMMUNITY DISTRICT, APPROVED INTERMEDIATE COMMERCIAL, PLANNED COMMUNITY DISTRICT) TO PUD (PLANNED UNIT DEVELOPMENT).

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

SECTION 1. The zoning of an 18.22-acre site located at the southeast corner of 27th Avenue and the Loop 101 Freeway in a portion of Section 25, Township 4 North, Range 2 East, as described more specifically in Exhibit "A," is hereby changed from 6.40 acres of "C-2" (Intermediate Commercial District), 1.76 acres of "C-2 HR" (Intermediate Commercial, High-Rise and High Density District), 0.06 acres of "C-2 SP" (Intermediate Commercial, Special Permit District), 9.94 acres of "C-2 HR SP" (Intermediate Commercial, High-Rise and High Density District, Special Permit), and 0.06 acres of PCD (Approved C-2 PCD) (Planned Community District, Approved

Intermediate Commercial, Planned Community 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 Deer Valley Medical Center 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 October 21, 2022, as modified by the following stipulations:
 - a. Front cover: Revise the submittal date information on the bottom to add the following: Hearing draft submittal: October 21, 2022; City Council adopted: [Add adoption date]; remove 3rd submittal line.
 - b. Page 3, Section C. List of Uses, Accessory Uses:
 - (1) Add the following conditions under Mobile Vending:
 - Subject to all condition of Section 624.D.87.a through m of the Zoning Ordinance.
 - The mobile vending use shall occur no more than one day per week for five mobile vending units or no more than two days per week for less than five mobile vending units.
 - The use is limited to the hours of 7am to 10pm.
 - (2) Remove the following condition under Mobile Vending:
 - All parking shall be contained on-site.
2. The applicant shall submit a Traffic Impact Study/Statement to the City for this development. The developer shall be responsible for cost and construction of all mitigation identified through the analysis. No preliminary approval of plans shall be granted until the study is reviewed and approved by the Street Transportation Department.

3. 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.
4. The developer shall provide documentation to the City prior to final site plan approval that Form 7460-1 has been filed for the development and that the development received a No Hazard Determination from the FAA. If temporary equipment used during construction exceeds the height of the permanent structure a separate Form 7460-1 shall be submitted to the FAA and a "No Hazard Determination" obtained prior to the construction start date.
5. 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.
6. 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 4th day of January, 2023.



MAYOR

ATTEST:


Denise Archibald, City Clerk

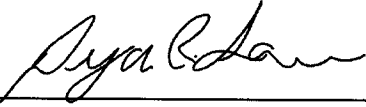
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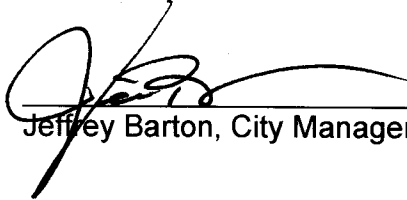
APPROVED AS TO FORM:
Julie M. Kriegh, City Attorney

By: 

Deryck R. Lavelle, Chief Counsel

pml

REVIEWED BY:



Jeffrey Barton, City Manager

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Exhibits:

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

EXHIBIT A

Being a portion of the Northwest 1/4 of Section 25, Township 4 North, Range 2 East, Gila and Salt River Base and Meridian, Maricopa County, Arizona more particularly described as:

Lot 1 of the Final Plat for "John C. Lincoln Deer Valley" as recorded in Book 539, Page 29 of the Maricopa County Recorder on August 1, 2000.

G7066

