

## ATTACHMENT A

**THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL,  
ADOPTED ORDINANCE**

### ORDINANCE G-

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-40-23-2) FROM C-O/G-O HGT/WVR (COMMERCIAL OFFICE/GENERAL OFFICE DISTRICT, HEIGHT WAIVER) TO R-2 (MULTIFAMILY RESIDENCE DISTRICT).

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

SECTION 1. The zoning of a 1.59-acre property located approximately 430 feet east of the southeast corner of 32nd Street and Paradise Lane in a portion of Section 1, Township 3 North, Range 3 East, as described more specifically in Exhibit "A," is hereby changed from "C-O/G-O HGT/WVR" (Commercial Office/General Office District, Height Waiver), to "R-2" (Multifamily Residence 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. The development shall be in general conformance with the site plan date stamped August 18, 2023, as modified by the following stipulations and as approved by the Planning and Development Department.
2. The development shall be in general conformance with the elevations date stamped June 20, 2023, as approved by the Planning and Development Department.
3. The required landscape setbacks shall be planted with minimum 2-inch caliper, large canopy, drought-tolerant shade trees planted 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.
4. All pedestrian walkways, including sidewalks, shall be shaded by a structure, landscaping at maturity, or a combination of the two to provide minimum 75% shade, as approved by the Planning and Development Department.
5. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrasts parking and drive aisle surfaces, as approved by the Planning and Development Department.
6. The primary entry/exit drive shall incorporate decorative pavers, stamped or colored concrete, or similar alternative material, as approved by the Planning and Development Department.
7. All uncovered surface parking lot areas shall be landscaped with minimum 2-inch caliper drought-tolerant shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25% shade at maturity, as approved by Planning and Development Department.
8. All units adjacent to Paradise Lane, as depicted on the site plan date stamped August 18, 2023, shall have individual pedestrian entrances oriented to the nearest public street and be connected by a direct sidewalk. These units shall include a porch or patio to accentuate the street-facing unit entrance, as described below and as approved by the Planning and Development Department.
  - a. Patio frontages shall have a minimum depth of 8 feet and a minimum area of 64 square feet.
  - b. Porch frontages shall have a minimum depth of 6 feet, a minimum width

of 50% of the unit façade, and a minimum shade coverage of 75% of the porch area.

9. If fencing is provided adjacent to Paradise Lane, it shall be limited to full view fencing, as approved by the Planning and Development Department.
10. A combination of view walls/fencing and partial view walls/fencing shall be incorporated for private rear yards adjacent to open space areas, as approved by the Planning and Development Department.
11. Bicycle infrastructure shall be provided as described below, as approved by the Planning and Development Department.
  - a. Bicycle parking spaces per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance shall be provided through Inverted U and/or artistic racks located near improved open space areas. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
  - b. A bicycle repair station (“fix it station”) shall be provided and maintained on site within an open space area. The bicycle repair station (“fix it station”) shall be provided in an area of high visibility and separated from vehicular maneuvering areas, where applicable. The repair station shall include, but not be limited to, standard repair tools affixed to the station, a tire gauge and pump affixed to the base of the station or the ground, and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.
  - c. A minimum of 10% of the required bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities.
12. Bicycle infrastructure shall be shaded by a structure, landscaping at maturity, or a combination of the two to provide minimum 75% shade, as approved by the Planning and Development Department.
13. A minimum of 10% of the required parking spaces shall include Electric Vehicle (EV) Installed infrastructure, as approved by the Planning and Development Department.
14. A minimum of two green infrastructure (GI) techniques for stormwater management shall be implemented per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management, as approved or modified by the Planning and Development Department.
15. A minimum 5-foot-wide detached sidewalk separated by a minimum 8-foot-

wide landscape strip located between the back of curb and sidewalk along the south side of Paradise Lane shall be constructed and planted to the following standards, as approved by the Planning and Development Department.

- a. Minimum 2-inch caliper single-trunk, large canopy, drought-tolerant shade trees planted 20 feet on center or in equivalent groupings.
- b. Drought-tolerant shrubs, accents and vegetative groundcovers to achieve a minimum of 75% live coverage at maturity.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.

16. A minimum of 40 feet of right-of-way shall be dedicated for the south side of Paradise Lane adjacent to the development, as approved by the Planning and Development Department.
17. All streets within and adjacent to the development shall be constructed 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.
18. The property owner shall record documents that disclose the existence, and operational characteristics of the Deer Valley 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.
19. 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 November, 2023.

---

MAYOR

ATTEST:

---

Denise Archibald, City Clerk

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

By:

---

---

REVIEWED BY:

---

Jeffrey Barton, City Manager

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

EXHIBIT A

LEGAL DESCRIPTION FOR Z-40-23-2

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

Parcel 2, MINOR LAND DIVISION SURVEY, recorded in Book 1423 of Maps, page 50, records of Maricopa County, Arizona, described as follows:

That part of The North half of the Northwest quarter of the Northwest quarter of the Southwest quarter of Section 1, Township 3 North, Range 3 East, of the Gila Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

COMMENCING at the West quarter corner of said Section 1, monumented with a brass cap in handhole which bears North 00 degrees 18 minutes 58 seconds West, a distance of 2628.88 feet from the Southwest corner of said Section 1, monumented with a brass cap in handhole;

THENCE along the North line of the Southwest quarter of said Section 1, South 89 degrees 10 minutes 23 seconds East, a distance of 660.42 feet to the Northeast corner of the North half of the Northwest quarter of the Northwest quarter of the Southwest quarter of said Section 1;

THENCE along the East line of the North half of the Northwest quarter of the Northwest quarter of the Southwest quarter of said Section 1, South 00 degrees 19 minutes 09 seconds East, a distance of 30.01 feet to a point on a line 30.00 feet South of and parallel with said North line, said point being the POINT OF BEGINNING:

THENCE continuing along said East line, South 00 degrees 19 minutes 09 seconds East, a distance of 298.06 feet to the Southeast corner of The North half of the Northwest quarter of the Northwest quarter of the Southwest quarter of said Section 1;

THENCE along the South line of the quarter of said Section 1, North 89 degrees 13 minutes 33 seconds West, a distance of 217.34 feet to a point on a line 443.00 feet East of and parallel with the West line of the Southwest quarter of said Section 1;

THENCE along said parallel line, North 00 degrees 18 minutes 58 seconds West, a distance of 179.49 feet to a point on a line, 148.74 feet South of and parallel with the North line of the Southwest quarter of said Section 1;

THENCE along said parallel line, South 89 degrees 10 minutes 23 seconds East, a distance of 18.00 feet to a point on a line 461.00 feet East of and parallel with the West line of the Southwest quarter of Section 1;

THENCE along said parallel line, North 00 degrees 18 minutes 58 seconds West, a distance of 118.77 feet to a point on a line 30.00 feet South of and parallel with the North line of the Southwest quarter of said Section 1;

THENCE South 89 degrees 10 minutes 23 seconds East, a distance of 199.32 feet to the POINT OF BEGINNING.

# ORDINANCE LOCATION MAP

EXHIBIT B

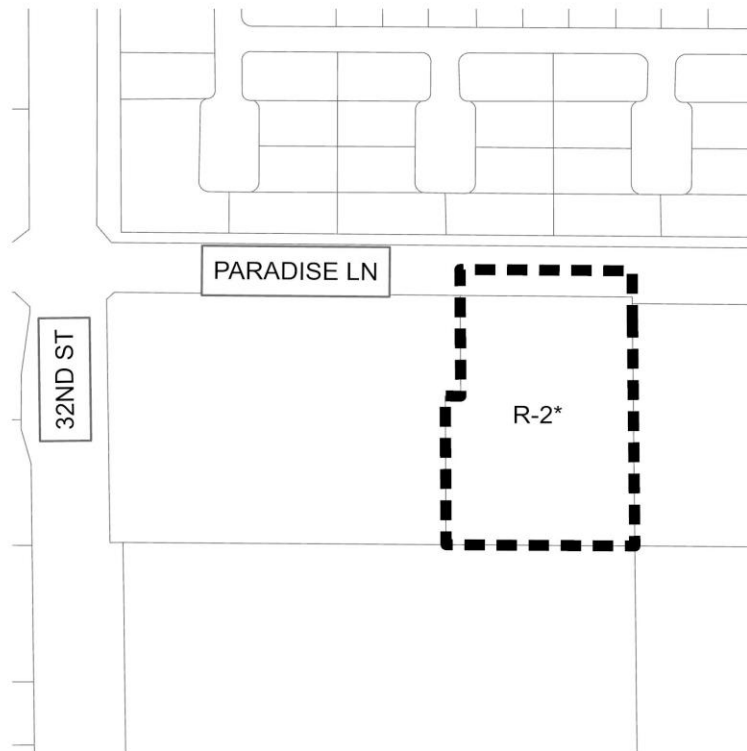
ZONING SUBJECT TO STIPULATIONS: \*

SUBJECT AREA: ■ ■ ■ ■ ■

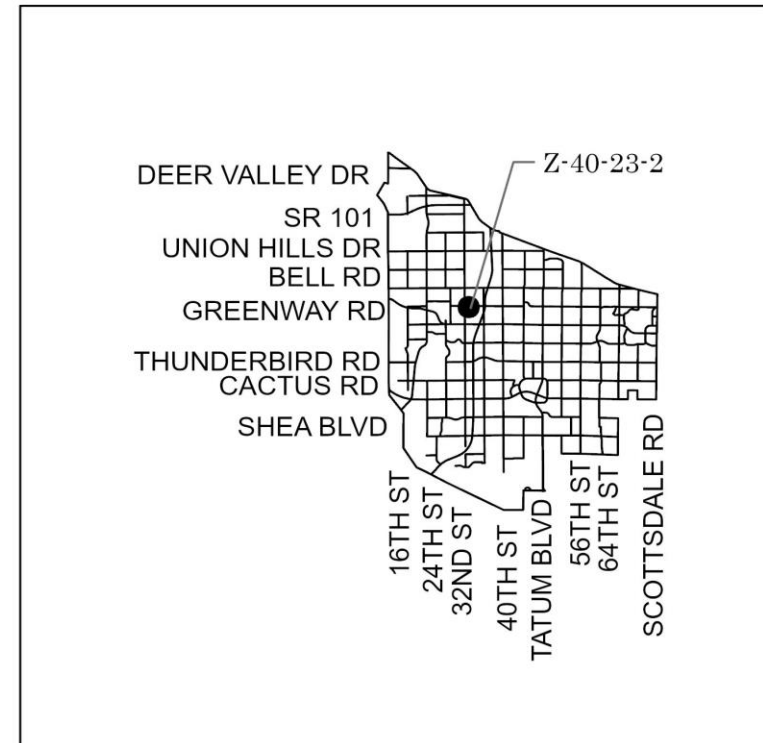
Zoning Case Number: Z-40-23-2

Zoning Overlay: N/A

Planning Village: Paradise Valley



0 87.5 175 350 Feet



NOT TO SCALE



Drawn Date: 9/25/2023